

**Oxford City Planning Committee**

10th December 2024

**Application number:** 24/01821/FUL  
**Decision due by** 18th November 2024  
**Extension of time** 20<sup>th</sup> December 2024

**Proposal** Demolition of part of the third floor and construction of new rooftop extensions. The refurbishment and reconfiguration of the third floor to allow for the creation a new academic hub with flexible seminar and innovation space, flexible open laboratories, support space and research offices. The creation of an external terrace and new plant room enclosures, flues and risers. The insertion of new third floor windows in the north elevation of the building.

**Site address** Department Of Physiology, Parks Road, Oxford, Oxfordshire – see **Appendix 1** for site plan

**Ward** Holywell Ward

**Case officer** Sarah Orchard

**Agent:** Stephanie Weeks **Applicant:** Chancellor, Masters & Scholars Of The University Of Oxford

**Reason at Committee** Major Development

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## 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 12 of this report and grant planning permission

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.

## **2. EXECUTIVE SUMMARY**

2.1. This report considers an application for the demolition of part of the third floor and construction of new rooftop extensions, the refurbishment and reconfiguration of the third floor to allow for the creation a new academic hub with flexible seminar and innovation space, flexible open laboratories, support space and research offices. The proposal also includes the creation of an external terrace and new plant room enclosures, flues and risers and insertion of new third floor windows in the north elevation of the building.

2.2. The report considers the principle of development, impact of the proposed development on the character and appearance of the host building, the immediate surrounding area and in longer range views. It also considers the archaeology, blue and green infrastructure, sustainability, flooding and drainage, air quality, neighbouring amenity and land quality. The report concludes that the development is acceptable in all regards and is therefore recommended for approval.

## **3. LEGAL AGREEMENT**

3.1. This application is not subject to a legal agreement.

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

4.1. The proposal is liable for a CIL contribution of £37,687.58

## **5. SITE AND SURROUNDINGS**

5.1. Sherrington Building, a large four storey 1940's Art Deco building currently used for a mix of lab, academic and office space by the University of Oxford, Department of Physiology and Genetics. The original building has been subject of later extensions, including a number of roof top extensions constructed in the 1960's and more modern extensions to the wings of the building constructed in the late 1990's and early 2000's. The roof areas of the building feature extensive plant equipment, which is both enclosed and exposed.

5.2. The site is located within the Oxford University Science area in the city centre. It also lies within the Central (City and University) Conservation Area, which identifies the building as a non-designated heritage asset. To the north of the site lies University Parks, a Grade II listed park and garden. To the south and west of the site lie the listed buildings of The University Museum and Pitt Rivers (Grade 1), Museum Lodge (Grade II) and The Townsend Building (Grade II). To the south and east of the site lies other buildings within the University Science Area.

5.3. See site location plan below:



## 6. PROPOSAL

- 6.1. The application proposes the demolition of part of the third floor and construction of new rooftop extensions with the refurbishment and reconfiguration of the third floor to allow for the creation a new academic hub with flexible seminar and innovation space, flexible open laboratories, support space and research offices. The proposal also includes the creation of an external terrace and new plant room enclosures, flues and risers and insertion of new third floor windows in the north elevation of the building.
- 6.2. The proposed roof top addition would measure approximately 3.5 metres in height from the current lowest parapet level and the proposed flues would measure approximately 7 metres from this level (approximately 3.8 and 4.8 metres from the proposed rooftop extension height).
- 6.3. A series of enabling works were approved in March 2021, which were required in order to relocate departmental facilities into the Sherrington Building. The works approved under application 21/00165/FUL included the removal of plant from the roof area and third floor service routes, the demolition of 1960's 3rd floor roof structures, associated roof repairs and the construction of new service risers and containment.

## 7. RELEVANT PLANNING HISTORY

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

66/18001/A_H - Extension on roof. PERMIT 27th September 1966.
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78/00083/A\_H - Provision of fire escape stairway. PERMIT 5th April 1978.

78/00221/A\_H - 2 fire-escapes. PERMIT 19th April 1978.

81/00999/NF - Timber hut for electronic workshop and store on flat roof. PERMIT 11th February 1982.

83/00501/NF - Extension at 2nd floor level to provide seminar/ general purpose room. PERMIT 1st September 1983.

91/00102/NF - Extension at second floor level. PERMIT 27th March 1991.

92/00876/NF - Erection of new chiller unit, air handling unit, discharge exhaust air fan and alterations to existing roof mounted plant (amended plans). PERMIT 18th December 1992.

93/00515/NF - External duct to roof. PERMIT 21st July 1993.

96/01076/NF - Four storey extension on north west elevation. PERMIT 13th November 1996.

98/01771/NF - Erection of 5 storey extension (including basement). PERMIT 26th June 2001.

99/01358/NF - Single storey extension to Department of Physiology to accommodate NMR (magnet facility). Demolish existing buildings and relocate cycle racks. PERMIT 1st March 2000.

00/01973/NF - Four storey extension at rear to provide additional teaching/ laboratory space. PERMIT 18th January 2002.

01/01339/NF - Four storey extension to north side to provide additional academic, office, teaching and research space. PERMIT 1st March 2002.

02/00099/FUL - Four storey extension to north side of building. PERMIT 12th June 2003.

06/02398/FUL - Erection of roof mounted plant on Sherrington Building, Department of Physiology. PERMIT 25th January 2007.

17/02792/FUL - Installation of roof plant units and corresponding duct work. (Amended plans). PERMIT 18th December 2017.

21/00165/FUL - Replacement of windows to the North elevation with new double glazed (part retrospective). Demolition of rooftop extension to south elevation. PERMIT 1st July 2021.

22/00850/AB56 - Application for prior approval for a proposed installation of new plant and formation of fencing. PRIOR APPROVAL REQUIRED AND GRANTED 6th June 2022.

23/00831/FUL - Alterations and replacement of fenestration. PERMIT 5th July 2023.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	131, 135-137, 138-140	DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores		
Conservation/ Heritage	200-201, 205-214, 203,	DH3 - Designated heritage assets DH4 - Archaeological remains		
Commercial	85, 87	E2 - Teaching and Research H9 - Linking new/used/refurb University		
Natural environment	180, 186	G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure		
Transport	108-109, 114-117	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking	Parking Standards SPD	
Environmental	96, 101, 123-124, 128, 157, 164, 165, 173, 175, 189-194	S1 - Sustainable development RE1 - Sustainable design and construction RE2 - Efficient use of Land RE3 - Flood risk management RE4 - Sustainable and foul	Energy Statement TAN	

		drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality		
<b>Miscellaneous</b>	7-12, 47	SP60 - University of Oxford Science Area and Keble Road Triangle V8 – Utilities H9 - Linking the delivery of new/ redeveloped and refurbished university academic facilities to the delivery of university provided residential accommodation		

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 10th September 2024 and an advertisement was published in The Oxford Times newspaper on 5th September 2024.

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

#### Oxfordshire County Council (Highways)

9.2. No objection subject to conditions relating to a construction traffic management plan and cycle parking.

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

9.3. No objection due to no increase in impermeable area.

#### Thames Water Utilities Limited

9.4. The proposal would not materially affect the sewer network. A sustainable surface water strategy should be developed with the Lead Local Flood Authority. Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of the proposal which should be dealt with by condition.

#### Oxford Civic Society

9.5. The rear façade can be viewed from University Parks, albeit screened by trees. The University should be mindful to ensure that there is no adverse alteration to short or distant views across the city.

#### Historic England

9.6. Refer to local specialist conservation and archaeological advisors.

Oxford Preservation Trust

9.7. Most of the changes are positive. Pay attention to the Central Conservation Area Appraisal. The scale of the rooftop plant should be reconsidered. Longer range views should be assessed.

The Gardens Trust

9.8. No comments received.

Natural England

9.9. No objection.

**Public representations**

9.10. No third party comments have been received.

**Officer response**

9.11. Officer's comments and response to any of the points above are addressed in the report below.

**10. PLANNING MATERIAL CONSIDERATIONS**

10.1. Officers consider the determining issues to be:

- Principle of Development
- Design/Heritage
- Amenity
- Transport
- Air Quality
- Land Quality
- Biodiversity
- Flooding/Drainage
- Energy/Sustainability
- Trees
- Utilities
- Health and Wellbeing

**a. Principle of development**

10.2. Policy RE2 of the Oxford Local Plan 2036 and paragraph 128 of the NPPF relate to the efficient use of land and specify that development proposals must make best use of site capacity. In a particular, policy RE2 identifies that this must be carried out in a manner compatible with the site itself, the surrounding area

and broader considerations of the needs of Oxford, as well as addressing the following criteria:

*a) the density must be appropriate for the use proposed;*

*b) the scale of development, including building heights and massing, should conform to other policies in the plan.*

*c) opportunities for developing at the maximum appropriate density must be fully explored; and*

*d) built form and site layout must be appropriate for the capacity of the site.*

10.3. The area containing the site falls under land subject of site policy SP60, as outlined in the Oxford Local Plan, this covers the University of Oxford Science Area and Keble Road Triangle. The site policy states that planning permission will be granted for residential development, academic institutional uses and associated research at University Science Area and Keble Road Triangle in line with the approved masterplan. The proposals align with Local Plan site policy SP60 as they would involve the continued use of the building for academic and research based uses already present in the building.

10.4. Policy H9 of the Oxford Local Plan states that new and refurbished academic facilities will not be granted to the University of Oxford where:

a) the new accommodation would not generate or facilitate any increase in student numbers; or

b) the number of their full-time taught course students living in Oxford in non-university- provided accommodation does not exceed 2,500 at the time of the application This threshold will be reduced to 1,500 at 01 April 2022.

The number of students living outside Oxford University accommodation does not exceed 1,500 and is therefore acceptable in relation to this policy.

10.5. The proposal is therefore considered acceptable in principle subject to the material consideration set out below.

#### **b. Design/Heritage**

10.6. The University Science Area character zone of the Central Conservation Area comprises the area of scientific research buildings that developed around the University Museum from the late-19th century and historically significant as the location for many important scientific discoveries.

10.7. Its distinctive character is as a self-contained campus of large, densely clustered institutional buildings, occupying substantial plots. It is an area that contains buildings of a wide range of styles and materials, reflecting its piecemeal development over the course of the later-19th, 20th and 21st centuries.



- 10.8. The Sherrington Building is identified in the Conservation Area Appraisal as a positive contributor to the character, appearance and significance of the Conservation Area, and is worthy of consideration as a non-designated heritage asset in its own right. Plans for the building were first drawn up by Lanchester & Lodge in 1937, although construction of the building did not commence until after the Second World War, spanning the years 1949-1954.
- 10.9. The building is illustrative of the University's efforts to cement itself as a centre for scientific research in the second quarter of the 20th century, which began with the allocation of an additional 9 acres of University Parks for development in 1924 and the masterplan by Southwell & Griffiths in 1934. It possesses historic associative value as an example of the work of Lanchester & Lodge, and is a good example of contemporary Neo-Georgian architecture (with Art-Deco influences), which was typical of Lanchester & Lodge and favoured for many civic and academic buildings from the 1920s-50s, reflecting contemporary ideas about modern, efficient and economic architecture. The building was not favoured by Pevsner in the 1970s but has an attractive and well-mannered elevation onto Sherrington Road as well as a formal, well-detailed northern elevation that was designed to be viewed and enjoyed from University Parks.
- 10.10. The building has undergone subsequent alterations including later additions to the east and west ends and third floor extensions to the south side of the building. These are not considered to possess any particular architectural interest and permission has previously been granted for some removal.
- 10.11. The turret of the University Museum forms a distinctive landmark feature in long views from the north and east. Several of the buildings within the Science Area, including the Sherrington Building, were designed with formal northern elevations intended to be viewed and enjoyed from the University Parks.

### *Design*

#### *Reorganisation of third floor and new window openings*

- 10.12. As the building is not nationally designated, the proposed works to reorganise the interior of the third floor of the building is not a heritage consideration *per se*. However, in connection to this the applicant is proposing to insert new windows into the central bays of the northern elevation of the building, which does require consideration.
- 10.13. At present the elevation features ten windows of classical vertical proportions framed between pilasters, terminating at second floor level, with a blank façade above featuring a centrally placed coat of arms. The proposal would see a further four windows inserted into the blank façade at third floor level, to either side of the coat of arms.
- 10.14. The applicant's heritage statement notes that the blank façade at third floor level 'derives from functional reasons (the presence of the animal laboratories) rather than necessarily being a deliberate design choice'. However, the heavy upper façade resulting from the blank windows is characteristic of the Art Deco style that influenced Lanchester & Lodge's design and features in other

examples of their work where there is not such a clear functional driver. This aspect of the design would be lost as a result of the proposals. The new windows would also 'escape' the frame of pilasters designed to contain them. The result of this is a notably less successful elevation.

- 10.15. In response to concerns about this raised at pre-application stage the applicants have tested a variety of window options for the third-floor level, and the proposal results in window proportions with the most successful option. During the course of the application these new windows were amended to have the same pattern of glazing bars as the existing windows to help integrate them into the elevation and appear as a less obvious addition.

*New fourth floor to include roof terrace, plant rooms and flues*

- 10.16. Whilst concerns have been raised about the appearance of the plant on the roof, to minimise its appearance, it is required that the fourth-floor element should be finished in a masonry material to appear as a continuation of the main building. This would be secured by condition.

- 10.17. The chosen approach, which clads the fourth floor extensions facing south onto Sherrington Road and the rooftop café extension overlooking University Parks, in buff/stone coloured GRC avoids a strong contrast in material that would result in an undesirable over-emphasis of these extensions. However, it is less successful in avoiding the harmful 'box on box' appearance. This would be less noticeable from close up views along Sherrington Road, due to the narrowness of the road (i.e. TVIA view 12) but would be perceptible in slightly longer-range views along the road (i.e. TVIA view 15).

- 10.18. Whilst the café extension on the north side of the building is shown as being finished in a buff/stone coloured material, concern was raised that the plant screen was shown as a mid-grey colour in the TVIA visualisations which would contrast strongly with the existing façade and draws undue attention to the plant screen, which form monotonous horizontal elements, detracting from the appearance of the northern elevation in views from University Parks. Clarification was provided that this would not be case and it would be a buff colour to match the elevations which would be resolved by condition.

*Impact of proposals on heritage assets*

*Sherrington Building (non-designated)*

- 10.19. Harm would be caused to the historic and architectural interest of the non-designated heritage asset as a result of the detrimental impact the proposed new windows on the quality of the formal northern elevation of the building, the unfortunate 'box on box' appearance of the extensions, and the undue visual prominence of the monotonous plant screens. This would be a moderate level of less than substantial harm.

- 10.20. The insertion of the windows into the northern façade is considered to be justified by providing natural light to these spaces and allowing this part of the building to be brought back into a viable use. The harm arising from the

appearance of the plant screen in views from University Parks would be mitigated through the use of appropriate materials which would be secured by condition.

#### *Central (City & University) Conservation Area*

- 10.21. The recently adopted Conservation Area Appraisal identifies the Sherrington Building as a positive contributor to the character and appearance of the Conservation Area, and the adverse effect the proposals will have on its architectural character and quality of Lanchester & Lodge's early-to-mid-twentieth century building would, by extension, harm the character and appearance of the Conservation Area. Poorly designed plant equipment and buildings (and extensions) whose materials, massing, architectural quality or contribution to townscape is not of comparable quality to other scientific buildings within the zone are also noted as a principal aspect of the Science Area character zone that can harm character and appearance.
- 10.22. The Conservation Area Appraisal University Science Area Character Zone Assessment also identifies the long views of the roofscape of the University Museum from the city centre and University Parks as a key contributor to the character and appearance of the Conservation Area; therefore the fact that the proposed rooftop extensions and flues would partially or totally block certain views of the Museum's turret from University Parks means some further harm would be caused to the Conservation Area.
- 10.23. The TVIA demonstrates that the proposed development would be visible from the high-level viewpoints at St Mary's University Church, St Michael at the North Gate, Carfax Tower, and the Sheldonian Cupola. The flues would be the most prominent aspect and would mostly be seen against the backdrop of vegetation, infilling between the flues of the Dorothy Crowfoot Hodgkin Building and slightly eroding the green setting of the City centre skyline. Two of the proposed flues would break the horizon line in the view from the Sheldonian. However, the Conservation Area Appraisal notes that visible flues may be appropriate within the science area, expressing the function of the character zone, and their impact on the ability to appreciate the landscape setting of the Conservation Area is very slight. Therefore, it is considered they would have only a negligible impact on the high level panoramic views of the city.
- 10.24. The potential impact of the application scheme on the Oxford Viewcones has been considered. It may be perceptible from the Elsfield, Boar's Hill, and Raleigh Park viewcones, but it is not considered that it has the potential to have a material impact on the significance of these viewcones.
- 10.25. Overall, it is considered the harm caused to the Central Conservation Area would be a low-moderate level of less than substantial harm.

#### *University Parks – Grade II RPG*

- 10.26. The proposed scheme would have a moderate adverse impact on the quality of the formal, northern elevation of the Sherrington Building, which was designed to be viewed and enjoyed from the Registered Park and Garden. The TVIA also

demonstrates that the rooftop extension and flues would obscure or partially obscure views of the turret of the University's Natural History Museum – a landmark feature of the surrounding townscape - from view within the Parks, particular along Thorn Walk. However, given that much of the heritage significance of the Registered Park and Garden is embodied in its layout, landscaping, planting, and views within the Parks, the resultant harm would be a very low level of less than substantial harm.

*University Museum of Natural History – Grade I listed building*

- 10.27. Views of the turret of the Museum that are currently available from within University Parks, particularly from Thorn Walk, would be obscured or partially obscured by the proposed development, lessening the Museum's status as a landmark building. However, these views provide only a limited ability to appreciate the exceptional historic and architectural interest of the listed building, much of the building already being screened by intervening development in the Science Area, and therefore, overall, the harm caused to the listed building would be a very low level of less than substantial harm.
- 10.28. Paragraph 201 of the NPPF states 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.
- 10.29. Paragraph 208 and 209 of the NPPF also state 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use
- 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. 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.'
- 10.30. Overall it is considered that the harm identified above, which would be less than substantial, has been kept to the lowest levels possible by thoroughly exploring options to adapt the building through pre-application discussions. The harm would be outweighed by ensuring that the building can adapt to current demands and needs, enabling the building to be kept in its optimum viable use. Secondly the retention of the building in its optimum viable use would ensure that it continues to provide significant employment contributing to the economy of Oxford and contributes to valuable research carried out by the University of Oxford which has social benefits worldwide. This would outweigh the low levels of harm identified to neighbouring designated heritage assets.

10.31. Special attention has also been paid to the statutory test of preserving the setting of listed buildings or any features of special architectural or historic interest which it possesses and the statutory test of preserving or enhancing the character and appearance of the conservation area under sections 66 and 72 respectively of the Planning (Listed Buildings and Conservation Areas) Act 1990, which it is accepted are higher duties. Considerable importance and weight has been given to the statutory duties when carrying out the balancing exercise and It has been concluded that the proposal would cause a low/low-moderate level of less than substantial harm to setting of listed buildings and the Central Conservation Area, but this harm would be out-weighed by the benefits of the proposal which include keeping a non-designated heritage asset in its optimum viable use (which associated social and economic benefits the building provides) and so the proposal accords with sections 66 and 72 of the Act and paragraphs 201 and 208 of the NPPF.

#### *Archaeology*

10.32. This application is of interest because the area where a crane base may be required has high potential for multi-period archaeology. The University Parks and Science Area are known to preserve an extensive landscape of Late Neolithic to Early Bronze Age ritual and funerary monuments and also later Iron Age and Roman rural settlement and agricultural landscape remains. Whilst the proposed development does not result in any ground works, concern has been raised by Officers that archaeological remains could be disturbed during construction. The construction compound does not fall within the application site and has previously been considered under a separate application for enabling works to the roof. If there is a requirement for a crane base to be installed, then it is recommended that there should be archaeological control over any subsequent excavations required, including potentially archaeological test pitting to determine a suitable location which would be secured by condition.

10.33. Subject to this, the proposal is considered acceptable in relation to policy DH4 of the Oxford Local Plan 2036 and the NPPF.

#### **c. Amenity**

10.34. Policies RE7 and RE8 of the Oxford Local Plan require the amenity of neighbour occupiers to be protected in terms of outlook, impact on daylight and sunlight, impact of artificial light and impact of noise and vibration.

#### *Neighbouring Amenity*

10.35. The proposed development sits within the University Science Area and to the south of University Parks, there are therefore no residential neighbours within the immediate area and the proposal is therefore not considered to have a detrimental impact on the amenity of neighbouring occupiers in terms of loss of light, overbearing impact or loss of privacy.

#### *Noise*

- 10.36. The proposed development does include plant to be added to the roof and the application has been accompanied by a noise impact assessment.
- 10.37. An acoustic assessment, reference 16200125055 v2.0, has been submitted by Ramboll, for the installation of associated external building services plant serving the development.
- 10.38. The report establishes the existing ambient and background noise levels at the nearest noise sensitive receivers (NSR) and proposes a building services noise limit, expressed as a Noise Rating Level, which is equal to the existing background noise level.
- 10.39. In relation to the assessment, appropriate noise guidelines have been followed such as Noise Policy Statement for England, National Planning Policy Framework (NPPF), Planning Practice Guidance on Noise, BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound" and policy RE8 of the Oxford Local Plan 2036.
- 10.40. Existing noise levels and proposed Rating Levels have been adequately predicted at suitably identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by any building.
- 10.41. Officers are satisfied that the proposed rating levels are achievable and would meet our local plan criteria given appropriate design choice of plant and specified mitigation design. Officers therefore offer no objections to the application and recommend that conditions requiring that noise levels do not exceed current background noise levels, plant shall be mounted on anti-vibration isolators and isolated from casing.

#### *Lighting*

- 10.42. A condition is also recommended that any external lighting does not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the CIE guidance 2003 and 2017 and the ILP Guidance Notes for the Reduction of Obtrusive Light (2021) to ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting.
- 10.43. Subject to the above recommendations the proposal is considered acceptable in relation to policies RE7 and RE8 of the Oxford Local Plan 2036.

#### **d. Transport**

- 10.44. Policies M1, M3 and M5 of the Oxford Local Plan 2036 seek to minimise use of private motor vehicles and promote the use of public transport and cycling through the promotion of car free developments and provision of cycle parking facilities.

#### *Transport sustainability*

- 10.45. The proposal sits within a central area and no additional parking is proposed, it is therefore expected that people will travel to the site by public transport and

the proposal would not have an impact on increased pressure on the transport network by private car movements.

#### *Cycle parking*

10.46. The application has not been accompanied by any details of cycle parking. Policy M5 of the Oxford Local Plan sets out that business properties should provide 1 space per 90m<sup>2</sup> of floorspace proposed (12 spaces) or 1 space per 5 staff. These requirements would need to be met by a recommended condition and accommodated within the wider Science Area.

#### *Construction*

10.47. The application has been accompanied by a construction traffic management plan (CTMP), however this does not adhere to the requirements of Oxfordshire County Council. This should be developed once there is a contractor on board and it is therefore recommendation that notwithstanding the submitted CTMP, that a revised plan is submitted by condition in the interests of highway safety and to ensure that the proposed development mitigates the impact of construction on any neighbouring residents and the local highway network.

10.48. Subject to these conditions the proposal is considered acceptable in relation to policies M3 and M5 of the Oxford Local Plan 2036.

#### **e. Air Quality**

10.49. Policy RE6 of the Oxford Local Plan and paragraphs 170 and 180-181 of the NPPF requires development to consider the impact of proposed development on air quality during construction, during operating and also the air quality experienced by future users of the proposed development.

10.50. The application has been accompanied by an air quality assessment. The baseline assessment shows that the application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO<sub>2</sub> air quality objective (AQO). The air quality baseline desk assessment shows that current air quality levels at the application site are well below relevant air quality objectives for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. Therefore, the location of the application site is considered suitable for its intended use, the introduction of future residents (new receptors) without mitigation.

10.51. According to the site's energy statement, the energy strategy for the proposed development will incorporate an all-electric approach, with PVs and Air Source Heat Pumps. No centralised heat and energy plant are planned for the proposed development which would be 'all electric'. As such, an assessment of emissions from energy systems during the operational phase of the development has been scoped out. Emissions from laboratory fume extract flues are expected to be intermittent, low in volume and well dispersed above roof level such that there would not be a risk of significant adverse odour or health impacts. As a minimum, laboratory extract flues will need to be compliant with British Standard EN 14175-

2:2003 guidelines for safe fume cupboard discharge which would be required by condition.

- 10.52. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed on the AQ Assessment, which identified that the site is found to be at medium risk in relation to health effects and dust soiling impacts. The risk of dust causing a loss of local amenity and increased exposure to PM10 concentrations has been used to identify appropriate dust mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to be not significant which would also be secured by condition.
- 10.53. The operation of the proposed development is not expected to lead to an increase in annual average daily traffic movements as no on-site car parking is proposed. Therefore, an assessment of the impact of vehicle emissions during the operation of the proposed development on local air quality was not required.
- 10.54. Based on the information above, it is considered that pollutant concentrations at the Site are predicted to be below the relevant AQOs and as such additional mitigation is not required for the operational phase. Air quality should therefore not be viewed as a constraint to planning, and the Proposed Development conforms to the air quality principles of National Planning Policy Framework and policies RE6 and M4 of the Oxford Local Plan 2036.

#### **f. Land Quality**

- 10.55. Policy RE9 of the Oxford Local Plan seeks to ensure that users of a proposed development will not be put at risk of existing contamination in the ground and the proposed development will not contribute to contamination of ground.
- 10.56. The site has a current and former potentially contaminative use as a laboratory and educational facility and so minor to moderate contamination risks may exist within made ground at the site. However, given that the proposed development is for internal refurbishment works and extension to the 3rd and 4th floor only which do not involve any below ground excavation works, there is negligible potential for exposure to any potentially contaminated made ground at the site. In addition, no new ground level landscaping works are proposed. For these reasons, the overall ground contamination risk at the site from the development proposals is considered to be low and therefore conditions relating to land quality are not required and the proposal is considered acceptable in relation to policy RE9 of the Oxford Local Plan 2036.

#### **g. Biodiversity**

- 10.57. Policy G2 of the Oxford Local Plan seeks to protect habitats and protected species and where relevant provide biodiversity net gain (BNG) to enhance existing habitats. In this case BNG does not apply as the proposal affects the roof top of an existing building and therefore less than 25m<sup>2</sup> of on-site habitat is impacted. This is an exemption under Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) which came into force



in February 2024, however a condition is recommended to require 4no. swift boxes as a biodiversity enhancement to meet the requirements of policy G2.

10.58. The application has been accompanied by an Ecological Impact Assessment which demonstrates that the existing building has been assessed to be of negligible suitability for roosting bats and no other surveys were recommended.

10.59. The project ecologist identified small numbers of potential roosting features (PRFs) present on the building in the form of missing mortar and gaps between pipes/cables and brick work. However, the project ecologist has scoped these out of the assessment due to the cluttered roof area, lack of cavity walls/internal voids and potentially live cables. Officers are satisfied that this is an appropriate judgement and agree that further survey effort is required. The site was assessed as being of importance at site level for commuting bats and nesting birds. The applicant is proposing a CEMP to mitigate against any effects to this end. This should be secured via planning condition.

10.60. The site is located within the Impact Risk Zone (IRZ) for the New Marston Meadows Site of Special Scientific Interest (SSSI). The site is designated for its botanical interests and is home to nationally scarce species, such as Snake's Head Fritillary, White-legged Damselfly and Lesser Spotted Woodpecker. It is therefore appropriate for Natural England to be consulted on the project. They have subsequently responded that they have no objection and that the proposed development will not have significant adverse effects on the designated site and its features. If plans are to be changed, Natural England and Oxford City Council should be reconsulted.

10.61. There were no other ecological constraints identified.

10.62. Officers are satisfied that a robust assessment was undertaken and the potential presence of protected habitats and species has been given due regard. European Protected Species. The Local Planning Authority, in exercising any of its functions, has a legal duty to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017, which identifies four main offences for development affecting European Protected Species (EPS):

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

10.63. Officers are satisfied that European Protected Species are unlikely to be harmed as a result of the proposals and the proposals are therefore acceptable in relation to policy G2 of the Oxford Local Plan 2036.

#### **h. Flooding/Drainage**

10.64. Policies RE3 and RE4 of the Oxford Local Plan seek to ensure that a development would be protected from flooding and the proposed development would not contribute to flooding elsewhere through the use of sustainable urban drainage (SuDs).

10.65. The proposed development relates to an existing building, for which the existing drainage system will be reused. There is no increase in impermeable area as works are to be internal or within the footprint of the building. There are therefore no concerns relating to surface water drainage and the proposal is considered acceptable in relation to policies RE3 and RE4 of the Oxford Local Plan 2036.

#### **i. Energy/Sustainability**

10.66. Policy RE1 of the Oxford Local Plan 2036 requires major developments to submit an energy statement which demonstrates 40% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case. The application has been accompanied by an 'Energy and Sustainability Statement' which demonstrates the use of good building fabric, air source heat pumps and solar PV which would result in a 42% reduction in carbon emissions in relation to the Part L of Building Regulations.

10.67. Proposals are also required to meet BREAM excellent standard (or recognised equivalent assessment methodology). The University has its own sustainability policy which is recognised by Oxford City Council based on PassivHaus principles which is considered to be an acceptable alternative which meets the requirements of this policy.

10.68. The submitted statement also addresses how proposal would conserve water, uses recycled and recyclable materials and minimises waste as set out in the requirements of policy RE1. A condition is recommended that the proposed development is carried out in accordance with this statement and evidence is provided prior to occupation to demonstrate compliance.

#### **j. Trees**

10.69. Officers have raised concerns that whilst there are no trees on the application site, the proposed development could have a potential to harm the trees to the north of the site during construction. A construction compound was granted permission under application 21/00165/FUL for works to the roof of the Sherrington Building and it is proposed to re-use this compound. The Arboricultural Method Statement and Tree Protection Plan associated with this development have been resubmitted and officers are satisfied that providing the development is carried out in accordance with the measures set out in this report, trees would not be harmed during construction.

## **k. Utilities**

### *Waste*

10.70. Thames Water recognises the catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such they have no objection. They have advised that developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The LLFA have advised that since no ground works are proposed and it is rooftop alterations only, a SuDs strategy is not required as there will not be increased run-off from the site.

### *Water*

10.71. Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. As such Thames Water request that a condition be added to any planning permission that requires no development shall be occupied until confirmation has been provided that either all water network upgrades required to accommodate the additional demand to serve the development have been completed or a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

10.72. Subject to the above condition the proposed development is considered to comply with policy V8 of the Oxford Local Plan 2036.

## **l. 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, considerations has been given to dust noise, vibration and odours through the CEMP and noise assessment, the site is in a sustainable location and does not promote car use, the local community were consulted prior to submission, involves sustainable construction techniques and renewal energy and therefore demonstrates where applicable that the development promotes health and wellbeing.

10.75. 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.

## **11. CONCLUSION**

11.1. 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.

- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.3. Therefore, it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.4. Officers consider that the proposed development would respond appropriately to the site context and Local Plan policies. The proposal would ensure that a local heritage asset can continue to be used for its intended purpose. It is considered that there would be no harm to the amenity of neighbouring occupiers, to the highway network as a result of traffic generation and adequate cycle parking would be secured by condition. The proposal would also have an acceptable impact on air quality, no impact on land quality or drainage and would meet exceed energy efficiency targets. Any impact on trees, biodiversity and archaeology through construction would also be managed adequately by condition.
- 11.5. Whilst the proposed development would result in less than substantial harm to a non-designated heritage asset, the Central Conservation Area, University Parks and the setting of neighbouring listed buildings, the level of harm has been kept as low as possible and would be outweighed by keeping the non-designated heritage asset in an optimum viable use, which is also the use it was intended for when built and the retention of this building in this use contributes to the economy of Oxford through retention of employment and contributes socially through contribution to research which has global benefits.
- 11.6. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out at section 12 of this report.

## 12. **CONDITIONS**

### *Time Limit*

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

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

#### *Approved Plans*

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

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

#### *Samples*

3. Notwithstanding the submitted details, samples of all external materials proposed to be used, including but not limited to those materials to be used for the window surrounds in the north elevation (stone and mortar), third floor rainscreen cladding, fourth floor plant room cladding, and flues, shall be made available for inspection on site and details shall be submitted and approved in writing by the Local Planning Authority before the start of the relevant work and only the approved materials shall be used.

Reason: To enable the Local Planning Authority to give further consideration to the detailed appearance of the approved works, in the interest of visual amenity and preserving the character and appearance of the non-designated heritage asset and the Central Conservation Area, in accordance with policies DH1, DH3 and DH5 of the adopted Oxford Local Plan 2036.

#### *Window Details*

4. Samples of all external materials proposed to be used, including but not limited to those materials to be used for the third floor rainscreen cladding, fourth floor plant room cladding, and flues, shall be made available for inspection on site and details shall be submitted and approved in writing by the Local Planning Authority before the start of the relevant work and only the approved materials shall be used.

Reason: To enable the Local Planning Authority to give further consideration to the detailed appearance of the approved works, in the interest of visual amenity and preserving the character and appearance of the non-designated heritage asset and the Central Conservation Area, in accordance with policies DH1, DH3 and DH5 of the adopted Oxford Local Plan 2036.

#### *Archaeology*

5. No groundworks below 300mm from current ground level, including for any crane base, shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of

archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

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

#### *Noise*

6. The noise emitted from building services 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.

#### *Lighting*

7. External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the CIE guidance 2003 & 2017 and the ILP Guidance Notes for the Reduction of Obtrusive Light (2021). Lighting should be minimised and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting in accordance with policy RE7 of the Oxford Local Plan 2036.

#### *Construction Traffic Management Plan*

8. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority and will need to incorporate the following in detail:
  - The CTMP must be appropriately titled, include the site and planning permission number.
  - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
  - Details of and approval of any road closures needed during construction.

- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (07:30-09:30 & 15:00-18:30)

The development shall be carried out in accordance with the approved plan thereafter.

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 RE7 of the Oxford Local Plan 2036.

#### *Cycle Parking*

9. Prior to the occupation of the development, details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport in line with policy M5.

#### *Air Quality*

10. No development shall take place until the complete list of site-specific dust mitigation measures and recommendations (that are identified on Chapter 7 (pages 19-20) of the Air Quality Assessment), are included in the current site's Construction Environmental Management Plan (CEMP). The new (updated) version of the CEMP shall be submitted to and approved in writing by the Local Planning Authority.

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

#### *Air Quality – Flue Emissions*

11. Prior to the commencement of development, excluding enabling works, evidence shall be submitted to, and approved in writing by, the Local Planning Authority, clearly demonstrating that all fume cupboards and extract flues have been designed in line with BS EN14175, in order to guarantee sufficient dispersion of discharge. The submission shall include proof that flues will terminate at least 3m above the highest point of the building, and that the discharge velocity from fume cupboard extracts are of at least 10 m/s, to ensure the discharge will not be trapped in the aerodynamic wake of the stack.

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

#### *Ecological Enhancements*

12. Prior to occupation of the development, details of ecological enhancement measures including at least four dedicated Swift boxes, shall be submitted to and approved in writing by the local planning authority. Details shall include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed



under the oversight of a suitably qualified ecologist prior to occupation of the approved development Any new fencing will include holes suitable for the safe passage of hedgehogs. The approved devices and fencing holes shall be maintained and retained in perpetuity unless otherwise approved in writing by the Local Planning Authority.

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

### *CEMP*

13. No development shall take place (including demolition, ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following: a) Risk assessment of potentially damaging construction activities; Page 3 of 3 b) Identification of “biodiversity protection zones” in respect of protected and notable species and habitats; c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements) and biosecurity protocols; d) The location and timing of sensitive works to avoid harm to biodiversity features; e) Contingency/emergence measures for accidents and unexpected events, along with remedial measures; f) Responsible persons and lines of communication; g) The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person if required, and times and activities during construction when they need to be present to oversee works; and h) Use of protective fences, exclusion barriers and warning signs; The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

### *Energy*

14. The development shall be implemented in strict accordance with the approved ‘CPW Energy and Sustainability Statement’ dated 03.07.24. 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.

*Tree Protection Plan (TPP)*

15. The development shall be carried out in strict accordance with the tree protection measures contained within the planning application details shown on the Tree Protection Plan drawing number 182911-495-DRW-TPP Rev 01 dated 03/06/2024 unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

*Arboricultural Method Statement (AMS)*

16. The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details shown on the Arboricultural Method Statement Ref. 182911-495-INF-AMS dated 14/06/2024 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.

*Thames Water – Water Upgrades*

17. Prior to first occupation, confirmation shall be provided that either:- 1. All water network upgrades required to accommodate the additional demand to serve the development have been completed; or 2. A development and infrastructure phasing plan has been agreed with the Local Planning in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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

**13. INFORMATIVES**

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive

discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

- 2 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: [www.oxford.gov.uk/CIL](http://www.oxford.gov.uk/CIL)
- 3 Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 07:00 - 19:00 Monday to Friday daily, 08:00 - 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Business Regulation Team, Regulatory Services

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

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

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

- 4 The developer can request information to support the discharge of conditions by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning)

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-your-development/working-near-our-pipes>

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

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

#### 14. **APPENDICES**

- **Appendix 1 – Site Plan**

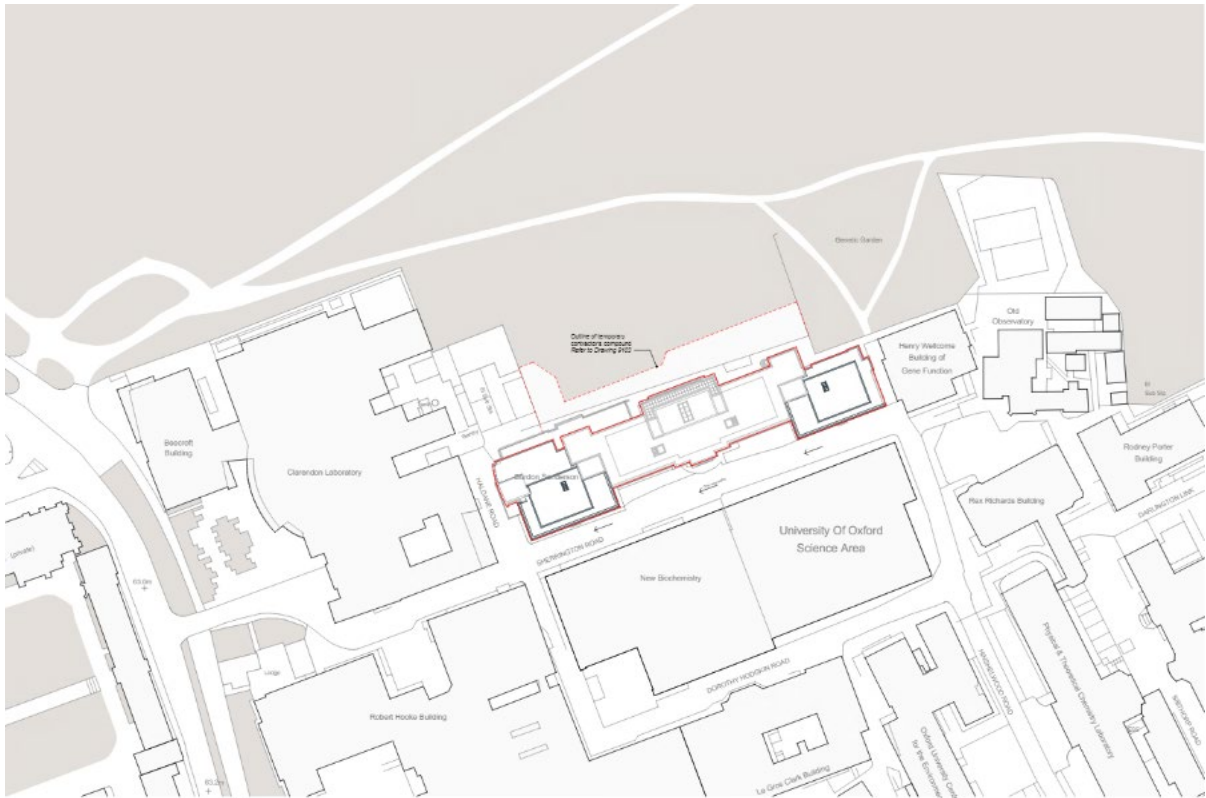
#### 15. **HUMAN RIGHTS ACT 1998**

- 15.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to [approve/refuse] 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/refuse] planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

# Appendix 1 – Site Plan



1 Block Plan  
1:500



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