

Oxford City Planning Committee

21.01.2025

Application number:	24/01397/FUL		
Decision due by	29th November 2024		
Extension of time	tbc		
Proposal	Demolition of existing bungalow and garage. Erection of three storey building to create 12 x 1 bed flats (Use Class C3). Formation of new vehicular access. Provision of 5no. car parking spaces, bin and cycle storage.		
Site address	The Bungalow , Sandy Lane, Oxford, Oxfordshire – see para 5.4 for site plan		
Ward	Blackbird Leys Ward		
Case officer	Tobias Fett/Hayley Jeffery		
Agent:	Mr Huw Mellor	Applicant:	Admiral Homes
Reason at Committee	The application is for a major development of 12 residential units.		

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 and informatives set out in section 12 of this report and grant planning permission subject to:

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

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

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

Planning 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 an application for the demolition of the existing bungalow and garage, erection of a three storey building to create 12 x 1 bed flats (Use Class C3) as well as the formation of a new vehicular access, provision of 5no. car parking spaces, bin and cycle stores. The report considers the principle of development/affordable housing, suitability of the design, residential and neighbouring amenity, transport, ecology, drainage, trees, air quality heritage/archaeology, sustainability, land quality and health impact. The report concludes that the development is acceptable in all regards and is therefore recommended for approval subject to the completion of a legal agreement.

3. LEGAL AGREEMENT

3.1. This application is subject to a legal agreement to cover the on site provision of affordable housing and contribution of £1223 to go towards the expansion and efficiency of Household Waste Recycling Centres (HWRC).

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL at an amount of £75,342.41.

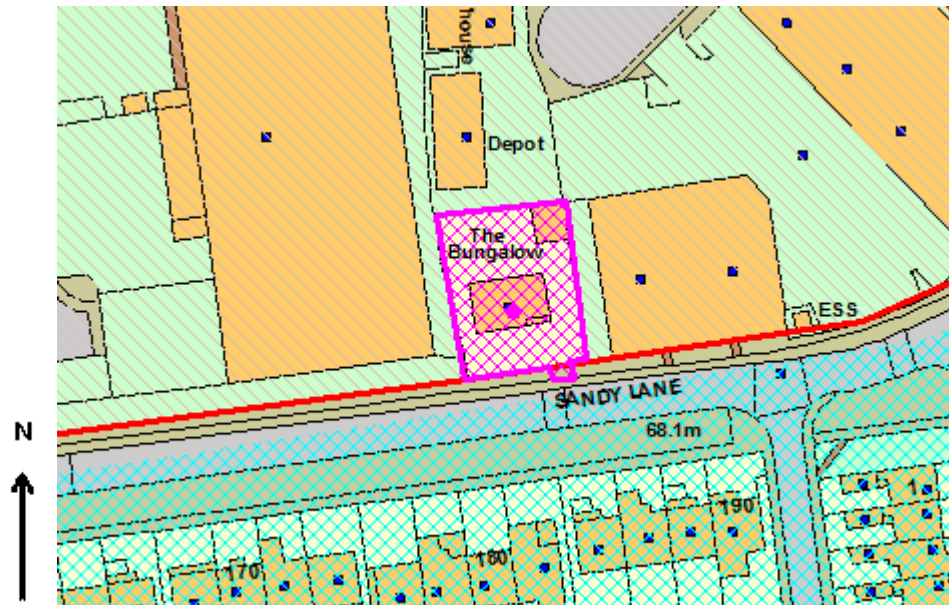
5. SITE AND SURROUNDINGS

5.1. The site lies to the north of Sandy Lane in the Blackbird Leys area of Oxford. To the east and north are commercial and industrial units accessed off Watlington Road and Harrow Road. To the west are industrial units accessed off Ashville Way, there are a small number of flats beyond as well as Oxford Stadium. To the south are two storey terraced houses.

5.2. The site itself comprises a single storey bungalow constructed of buff brick and brown interlocking concrete tiles. The bungalow is set behind a grassed front garden which is enclosed by a low brick wall. To the rear is a garden which contains a detached garage to the north eastern corner. The site benefits from a vehicular access to the eastern side of the frontage which leads to the garage. The northern and western boundaries are enclosed by timber fencing while the eastern boundary is formed of a low brick wall and hedging.

5.3. The application site is in use as a single dwellinghouse (Use Class C3).

5.4. See block plan below:



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Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the demolition of the existing bungalow and garage, erection of a three storey building to create 12 x 1 bed flats (Use Class C3) as well as the formation of a new vehicular access, provision of 5no. car parking spaces, bin and cycle stores.

6.2. The three storey building would be sited slightly further back into the site than the existing bungalow at 11m. It would be 19.8m wide, 10.5m deep and 16.6m high. The proposals include a central point of entry to the front and rear and each floor would consist of four flats. Each flat would contain an open plan living and kitchen area and one bedroom with en-suite bathroom.

6.3. The existing vehicular access would be stopped up and a new point of access provided centrally within the site's frontage. This would lead onto an area of permeable surfacing providing turning and parking for 5 cars. Bike storage would be provided to the south western front corner in a structure measuring 4.2m wide, 2.8m deep and 1.8m high in a close boarded timber structure. Cycle storage would be provided to the rear of the building to the north western corner of the site in a structure measuring 5.2m wide, 3m deep, 1.8m to the eaves and 2.975m to the ridge. 12 cycle spaces would be provided in a stained close boarded timber structure under a membrane roof.

7. RELEVANT PLANNING HISTORY

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

03/00950/FUL - Demolish existing bungalow. Erection of three storey building
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containing 9 2-bed flats. 9 parking spaces. Bicycle and bin store.. Withdrawn 3rd July 2003.

03/01686/FUL - Demolish existing bungalow. Erection of three storey building containing 9 2-bed flats. 9 parking spaces, bicycle and bin store.. Refused 14th October 2003.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
Design	124-130, 137-141	G6 - Residential garden land DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores	
Conservation/Heritage	207-221	DH3 - Designated heritage assets	
Housing	63-66, 73, 81	H1 - Scale of new housing provision H2 - Delivering affordable homes H4 - Mix of dwelling sizes H14 - Privacy, daylight and sunlight H15 - Internal space standards H16 - Outdoor amenity space standards	
Commercial	85-89		

Natural environment	91-101, 187-201	G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Social and community	96-102	RE5 - Health, wellbeing, and Health Impact Assessment RE7 - Managing the impact of development	
Transport	109-118	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	161-182	RE1 - Sustainable design and construction RE2 - Efficient use of Land RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN
Miscellaneous	7-14, 39-60	S1 - Sustainable	External Wall Insulation TAN,

		development S2 - Developer contributions	
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9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 6th 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. Site is in highly sustainable location with good access to a range of local services and bus services. The development proposed 5 car parking spaces for the 12 flats so has the potential to generate overspill parking on Sandy Lane which already experiences a high degree of parking pressure. The site is not in a CPZ so on street car parking cannot be controlled. Note the site intends to be managed by Oxford City Council and as part of any tenancy agreement, tenants will be obliged to agree to not bring cars to the development. This will not completely eliminate on street parking but is likely to reduce the demand. The highly sustainable location will also reduce car ownership and demand for on street parking so that the impact of the development would not be severe. Cycle parking accords with the required standard. There is a speed hump outside the property and the relocated access would not directly impact the speed hump. No objection subject to condition requiring a construction traffic management plan and informative relating to works to the highway.

Oxfordshire County Council (Lead Local Flood Authority)

9.3. Initial holding objection received as infiltration testing results not provided, flood mapping for all sources not provided, contact for maintenance of SuDs needed, flood exceedance plan shows surface water leaving the site and going towards the highway and water butts not shown on drainage drawing. This was removed on the receipt of further information and therefore no objection subject a condition securing the provision of SuDs.

Oxfordshire County Council (Education and Property)

9.4. The scale and nature of this development is not expected to result in any significant increased pressure on school places.

Thames Water Utilities Limited

9.5. Recognises this catchment is subject to high infiltration flows during certain conditions, however the scale of the development will not materially affect the sewer network and as such have no objection. Sustainable surface water strategy is required before discharging into the public sewer. Issues with the existing sewage treatment works infrastructure to accommodate the needs of the proposal. Recommend a condition that building shall not be occupied until

upgrade works have taken place. The application indicates that surface water will not be discharged into the public sewer and on this basis does not object. No objection to foul water sewerage network infrastructure capacity.

Public representations

9.6. No representations received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- I.Principle of development/Affordable Housing
- II.Design
- III.Residential Amenity
- IV.Neighbouring Amenity
- V.Transport
- VI.Ecology
- VII.Drainage
- VIII.Trees
- IX.Air Quality
- X.Sustainability
- XI.Heritage/Archaeology
- XII.Land Quality
- XIII.Health Impact
- XIV.Utilities
- XV.Planning Obligations

I. Principle of development/Affordable Housing

- 10.2. Policy S1 of the Oxford Local Plan 2036 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This applies to paragraphs 10, 11 and 12 of the NPPF which state that a presumption in favour of sustainable development is at the heart of national planning policy. The Council will work proactively with applicants to find solutions jointly which mean that applications for sustainable development can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with Oxford's Local Plan and national policy will be approved without delay, unless material considerations indicate otherwise.
- 10.3. Policy H1 of the Oxford Local Plan outlines that the majority of the Council's housing need would be met through sites allocated in the Oxford Local Plan, however in addition to housing which would be delivered on allocated sites

windfall delivery of housing on sites not specifically allocated within the Local Plan remains important in terms of meeting the Council's housing needs.

- 10.4. Policy H2 of the Oxford Local Plan 2036 states that on self-contained residential developments (C2 and C3, including retirement homes, sheltered housing, but excluding student accommodation and employer-linked housing) where sites have a capacity for 10 or more homes (gross) or exceed 0.5 ha, a minimum of 50% of units on a site should be provided as homes that are truly affordable in the context of the Oxford housing market. At least 40% of the overall number of units on a site should be provided as on-site social rented dwellings. The remaining element of the affordable housing may be provided as intermediate forms of housing provided that they are affordable in the Oxford market. The affordable homes must be provided as part of the same development ("on-site") to ensure a balanced community. Where affordable housing is provided onsite it should incorporate a mix of unit sizes
- 10.5. Policy RE2 of the Oxford Local Plan 2036 states that planning permission will only be granted where development proposals make efficient use of land. Development proposals must make best use of site capacity, in a manner compatible with the site itself, the surrounding area and broader considerations of the needs of Oxford, as well as considering the criteria set out in the policy.
- 10.6. Policy G6 of the Oxford Local Plan states that planning permission will be granted for new dwellings on residential garden land provided that the proposal responds to the character and appearance of the area as well as the size of plot to be developed is of an appropriate size and shape to accommodate the proposal, taking into account the scale, layout and spacing of existing and surrounding buildings. Moreover, any loss of biodiversity value on the site would be fully mitigated.
- 10.7. The application site is not allocated within the local plan and would be classed as a windfall site. The proposals would deliver 12 new homes which would be classed as a significant public benefit in terms of meeting the Council's housing needs.
- 10.8. Furthermore 100% of the proposed dwellings provided on the site would be affordable homes and all would come forward as socially rented. This is supported by colleagues in the Council's Affordable Housing Supply team and will meet the current single person housing need. Therefore the quantity of affordable homes and proposed tenure mix is considered appropriate, particularly given the small size of the site and would therefore meet the requirements of Policy H2 of the Oxford Local Plan.
- 10.9. Officers consider that the proposed development would make a more efficient use of land that is currently used for housing and the development would be acceptable in principle in the context of Policies RE2 and H2 of the Oxford Local Plan (2036).

II. Design

- 10.10. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1.
- 10.11. The existing bungalow on site is of no particular architectural merit and as such there would be no objection to its demolition. Indeed the erection of 12 units in its place would make a much more efficient use of land.
- 10.12. The proposals would introduce a three storey building located slightly further back into the site than the current bungalow. The existing property is set back 7.8m from the sites frontage on Sandy Lane where as the proposed three storey building would be sited nearly 11m back into the site. However as the site is flanked by industrial and commercial units which are set further forward and more dominant, the siting of the proposed building would have a neutral impact on the surroundings.
- 10.13. Clearly the proposed three storey building would be taller than the existing bungalow on site. The existing bungalow measures approximately 5.4m to the ridge of the pitched roof. The proposals would in comparison measure 8.3m in height and would have a flat roof. The additional increase in height would not though be apparent given the flanking industrial units which are further forward and of a greater height and bulk. While the flanking industrial units have shallow pitched roofs, the residential properties on the opposite side of Sandy Lane have flat roofs so the proposals would not be out of keeping in this context. Overall the surrounding area features a high degree of variation in terms of scale, design and form and the proposals would sit comfortably within this context.
- 10.14. The proposed building would measure 19.3m wide and 10.6m deep. It would extend closer to the side boundaries of the site than the present bungalow, with only a minimum gap of 0.4m to either side. Nonetheless given the set back from the frontage as well as siting of the neighbouring industrial buildings which are both set equally off the side boundaries, sufficient space would be maintained in order for the proposals to not appear as an overdevelopment of the site. The spacing would also be similar to residential dwellings in the area, including those on the opposite side of Sandy Lane.
- 10.15. The proposed flats would have a simple appearance with a central point of access in the front elevation. Four flats would be provided on each floor with all of the flats having a balcony or small terrace. The balconies would add detail to the elevations and be provided in the form of a glass balustrade. The materials would be buff brick with UPVC windows that appear to be grey in colour. Such a materials palette would be appropriate with the neighbouring industrial units containing buff brick at the lower levels. In any event samples of the proposed materials are to be secured by condition.
- 10.16. Hard and soft landscaping is proposed to the frontage including some permeable paving as well as five car parking spaces, a bin store within a 1.8m high timber structure and grassed areas. Cycle storage is proposed in a

further timber structure to the rear along with a shared amenity space. This is acceptable in principle although the landscaping to the frontage is somewhat limited and further details of landscaping and means of enclosure can be secured by condition to ensure sufficient provision particularly to ensure the frontage of the site does not appear stark.

10.17. The proposals are considered therefore to be appropriately designed and would be in accordance with Policy DH1 of the Oxford Local Plan

III. Impact on residential amenity

Existing occupiers and uses

10.18. Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.

10.19. The nearest residential properties are on the opposite side of Sandy Lane and given the proposals would be set further back into the site than the current bungalow, there would be a sufficient distance to ensure there would be no impacts on any nearby residential occupiers in terms of loss of light, outlook, privacy or being overbearing. The proposals would therefore accord with policy H14 in that regard.

10.20. In terms of future occupiers of the proposed development, as the current property is in residential use and co-exists with the surrounding uses without complaint, it is considered that there would be no adverse impacts in terms of noise and disturbance from neighbouring uses.

Internal layout

10.21. Policy H15 of the Oxford Local Plan 2036 states that planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market and affordable homes (across all tenures) must comply with the MHCLG's Technical Housing Standards – Nationally Described Space Standard Level 113.

10.22. Each flat would consist of an open plan kitchen and living area, bedroom and en-suite shower room. All of the rooms would have windows looking front and rear with only en-suite shower room windows to the side. This provide appropriate outlook and privacy as well as light. Internally the flats would be laid out logically and with sufficient circulation space for 1 person.

10.23. The flats would measure 38.4sq. m internally. This meets the Nationally Described Space Standard for a 1bed, 1 storey dwelling with a shower room of 37sq. m.

10.24. The proposals would thus accord with policy H15 of the OLP.

External layout

- 10.25. Policy H16 of the Oxford Local Plan 2036 states that planning permission will only be granted for dwellings that have direct and convenient access to an area of private open space. Policy H16 sets out the expectations for the size and quality of outdoor space across various types of dwellings.
- 10.26. Each of the flats would be served by a private balcony or terrace. The balconies only measure 3.3 sq. m which while on the smaller side, accords with policy H16 which for one and two bedroom flats only dictates that balconies and terraces shall be of useable level space. In any event the flats are also shared by a larger amenity space to the rear which provides further outdoor amenity space. Overall there would be an acceptable provision of outdoor amenity space for future residents.

Bin storage

- 10.27. Policy DH7 of the Oxford Local Plan 2036 states that permission will only be granted where outdoor needs are properly accommodated, including refuse and recycling storage. Bins should be provided in accordance with Oxford City Council's Technical Advice Note on bin storage.
- 10.28. Bin storage would be provided to the frontage in a timber structure measuring 1.8m high. It would be located immediately adjacent to the front boundary and large enough to store the requisite number of bins. The siting of the proposed bin storage would be convenient for future occupiers to use as well as provide level, unobstructed access to the street, in accordance with policy DH7.

IV. Transport

Car parking

- 10.29. Policy M1 of the Oxford Local Plan 2036 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.
- 10.30. Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones or employer-linked housing areas where occupants do not have an operational need for a car where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities planning permission will only be granted for residential development that is car-free. In all other locations, M3 states that planning permission will only be granted where the relevant maximum standards set out in Appendix 7.3 are complied with.
- 10.31. Policy M4 of the Oxford Local Plan 2036 requires electrical vehicle charging facilities to be provided to each new car parking space.
- 10.32. The site is in sustainable location with good access to a range of local services and a good public transport links. The development proposes 5 car parking spaces for the 12 flats. Advice sought from the Local Highway Authority

indicates that there is the potential for the development to result in overspill parking on Sandy Lane which already experiences a high degree of parking pressure. The site is not within a CPZ so this cannot be controlled through removing eligibility for permits. However as the site will be managed by Oxford City Council, tenants will be obliged to not bring cars to the development. While this does not eliminate the potential for overspill parking, it will likely reduce it. Coupled with the sustainable location which will further reduce the need for car ownership by future occupants. Therefore the Local Highway Authority advise that the impact from parking will not be severe and they do not object to the parking proposals which are in line with the Council's parking standards and transport objectives for the City.

10.33. Furthermore each space will be provided with an electric vehicle charging point which accords with policy M4 of the OLP and can be secured by condition.

10.34. The proposals involve the relocation of the existing dropped kerb to the site. Currently it lies to the eastern side of the frontage but as proposed would be relocated centrally to the frontage. The Local Highway Authority note there is a speed hump to the front of the property but that the proposed access would not directly impact the speed hump. In any event there is an access on the opposite side of Sandy Lane which has not detrimentally impacted the speed hump. An informative is suggested advising that any works to the highway will require separate consent from the Highway Authority for alterations to the public highway.

Cycle parking

10.35. Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.4. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street. Bicycle parking should be designed to accommodate an appropriate amount of parking for the needs of disabled people, bicycle trailers and cargo bicycles, as well as and facilities for electric charging infrastructure.

10.36. 12 cycle spaces are proposed in a secure timber structure to the rear of the site. There will be a route through the building to provide level, unobstructed access to the street. The Local Highway Authority raise no objection to this provision and it is considered to accord with policy M5.

V. Ecology

10.37. Policy G2 of Oxford Local Plan 2036 states that important species and habitats will be expected to be protected from harm, unless the harm can be appropriately mitigated. It also outlines that, where there is opportunity, it will be expected to enhance Oxford's biodiversity. This includes taking opportunities to include features beneficial to biodiversity within new developments throughout Oxford.

- 10.38. The Local Planning Authority has a duty to consider whether there is a reasonable likelihood of protected species being present and affected by development at the application site.
- 10.39. A Preliminary Ecological Appraisal and Roost Assessment along with a Biodiversity net Gain Assessment and Metric were submitted with the application and reviewed by the Council's Ecology Officer. The buildings were assessed as being on negligible suitability for roosting bats while the garden provided some suitable habitats for terrestrial species such as hedgehogs. Officers were satisfied that a robust assessment was undertaken and that the presence of protected species was given due regard.
- 10.40. In terms of Biodiversity Net Gain, the baseline habitat units came to 0.09 with a baseline hedgerow units of 0.03. The proposed development would result in a net gain of 0.02 habitat units (+19.9%) and 0.06 hedgerow units (+231.08%). After some clarification regarding the presence of Sheeps Fescue which is a species of grass which the project ecologist confirmed was rarely found on site, Officers are satisfied that this would comply with the mandatory requirement to provide a minimum net gain of 10% in all areas of the metric. This is proposed through the planting of 6 small trees in moderate condition; the creation of an area of modified grassland in poor condition; and the planting of a native hedgerow in good condition. A Landscape Ecological Management Plan (LEMP) can be conditioned to secure this and officers have included this in the list of recommended conditions.
- 10.41. The Local Planning Authority should have regard to the protection of wild birds under the Wildlife and Countryside Act 1981. Officers consider the addition of a condition will protect wild birds and their nests enabling the development to proceed.
- 10.42. Subject to securing the required net gain in biodiversity and ecological management measures, on this basis the proposals accord with policy G2 of the OLP.

VI. Drainage

- 10.43. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy outlined in the policy. Applicants must demonstrate that they have had regard to the SuDS Design and Evaluation Guide SPD/ TAN for minor development and Oxfordshire County Council guidance for major development.
- 10.44. The application site is located in Flood Zone 1 and is considered to be at a low risk of flooding
- 10.45. Initially with regard to drainage the Lead Local Flood Authority (LLFA) raised an objection on the basis further information was required to be submitted

such as infiltration testing results and flood maps. This was duly provided and after some additional clarification the LLFA removed their objection subject to conditions requiring a detailed surface water drainage strategy to be submitted and subsequent recording.

- 10.46. On this basis it is considered that the proposals make adequate provision for the management of surface water drainage and the proposals are considered to comply with Policies RE3 and RE4 of the Oxford Local Plan

VII. Trees

- 10.47. Policy G7 of the Oxford Local Plan 2036 states that planning permission will not be granted where development would result in the loss of green infrastructure features such as hedgerows, trees or woodland, where this would have a significant adverse impact upon public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated. Planning permission will not be granted for development resulting in the loss or deterioration of ancient woodland or ancient or veteran trees except in wholly exceptional circumstances.
- 10.48. Policy G8 of the Oxford Local Plan 2036 requires proposals to demonstrate how new or improved green or blue infrastructure features would be incorporated in a scheme.
- 10.49. The site is considered to offer a soft perspective to the street scene due to the greenery along the east and west boundaries. One magnolia and one ornamental hedge on the frontage partially screen the property and the trees overhanging the western boundary, provide a green backdrop when viewed from the street.
- 10.50. The Existing Site and Landscape Plan confirms that the magnolia tree, hedge and all shrubbery to the front will be removed in order to enable the development. Two young, self seeded tree overhanging the site to the west will also need some lateral crown reduction. However the trees to be removed or reduced are young and/or small, offering limited amenity value for the area. As such their removal can be mitigated by replacement planting. Officers recommend that a brief Arboricultural Method Statement and a Tree Protection should be secured by condition.
- 10.51. Six replacement trees are proposed to the rear of the site along with native hedging to the western boundary. These would successfully mitigate the loss of the magnolia tree and ornamental hedge particularly in terms of net canopy cover. A landscape plan has been submitted but a fully detailed plan shall be secured by condition in order to provide full details and ensure that the exact positions of the trees are appropriate while also providing a sufficient level of amenity space. As detailed in the design section, there is also limited landscaping proposed to the frontage other than modified grassland and as such further details can be sought for this via condition in order that the front of the site does not look too stark.

10.52. Subject to the recommended conditions, Officers consider that the proposals would comply with Policy G7 of the Oxford Local Plan.

VIII. Air Quality

10.53. Policy RE6 of the Oxford Local Plan 2036 states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced. Additionally, applications for major proposals (10 or more dwellings or 1000 square metres) which would carry a risk of exposing individuals to unacceptable levels of air pollution must be accompanied by an Air Quality Assessment (AQA). Where the Air Quality Assessment indicates that a development would cause harm to air quality, planning permission will not be granted unless specific measures are proposed and secured to mitigate those impacts.

10.54. The air quality desk based assessment shows that while the site is located within Air Quality Management Area (AQMA), current levels are below relevant air quality objectives for the relevant concentrations. Therefore the location of the site for its intended use i.e. future residents without mitigation.

10.55. As an all electric approach would be taken to energy and as such there will be no combustion emission sources associated with heat and/or electricity generation. The impacts of demolition and construction work on dust soiling and ambient fine particulate matters concentrations have been assessed which identify the site to be at medium risk in relation to dust soiling impacts and mitigation measures have been identified to prevent a loss of local amenity. This would be secured through a dust management plan that officers recommend can be secured by condition. The electric vehicle charging points will also be secured by condition as set out in the Transport section of this report.

10.56. Overall the air quality impacts of the development are considered to be negligible. Subject to the recommended conditions, the proposals accord with policy RE6 of the OLP and the NPPF.

IX. Sustainability

10.57. Policy RE1 of the Oxford Local Plan 2036 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles, set out in RE1, have been incorporated. It is expected that 25% of energy will be on-site renewables; water consumption must also meet the requirements of Building Regulations Part G2. An Energy Statement will be submitted to demonstrate compliance with this policy for new-build residential developments (other than householder applications) and new-build non-residential schemes over 1,000m². On schemes of five or more residential dwellings or 1000m². The Energy Statement would include details as to how the policy would be complied with and monitored.

10.58. An energy statement was submitted with the application which has since been updated with supplementary information. The initial assessment and SAP

calculations showed a reduction of 52% by utilising a better specification of fabric measures than prescribed by building regulations and including photovoltaic (PV) panels. However concerns were raised that the flats would be too expensive to heat given reliance on electricity and it was not clear if all of the flats would benefit from the PV panels to offset these costs. Supplementary information was submitted confirming each flat would have a PV array and inverter. This results in each flat having a greater benefit with a B EPC rating as opposed to C as originally submitted. This also results in an improvement to the overall carbon efficiency which has increased to a 74.97% reduction from the baseline through the addition of the extra PV and floor U-Value. This would significantly exceed the 40% policy requirement prescribed by Policy RE1 of the Oxford Local Plan (2036).

10.59. Conditions should also be attached securing water efficiency to meet the target of 110 litres per day.

10.60. On this basis the proposals are considered acceptable from an energy and carbon point of view and complies with policy RE1 of the OLP.

X. Archaeology/Heritage

10.61. Policy DH3 of the Oxford Local Plan 2016 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset, in this case a conservation area, and locality. For all planning decisions, great weight will be given to the conservation of that asset and to the setting of the asset, where it contributes to that significance or appreciation of that significance. Where a development proposal will lead to less-than-substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal, which should be identified by the applicant.

10.62. Policy DH4 of the Oxford Local Plan 2036 states that where archaeological deposits that are potentially significant to the historic environment of Oxford are known or suspected to exist anywhere in Oxford, planning applications should include sufficient information to define the character, significance, and extent of such deposits as far as reasonably practical. Proposals that will lead to harm to the significance of non-designed archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm.

10.63. The application site lies approximately 150m from the Oxford Stadium Conservation Area. The first houses in Blackbird Leys were erected on the street side opposite facing the stadium in 1958. As stated previously in this report the area is very suburban in character and shaped by the surrounding mixed uses of housing and commercial units. The Oxford Stadium Conservation Area derives its significance from sustaining community value, local distinctiveness and identify, rarity in terms of the tote building on site and the importance of spatial character to understanding its significance in relation to the buildings and spaces between them on site.

- 10.64. The Conservation Area therefore very much derives its value from the leisure use and buildings on site. In this particular case, there are a number of large buildings separating the application site and Conservation Area. There are 2.5 storey flats at Holly Court immediately adjacent to the stadium entrance as well as two large industrial buildings which sit in close proximity to the Sandy Lane frontage. The proposals at 3 storey height would be comparable in height to neighbouring buildings and given the intervening distance and built form, the proposals would not be perceivable from the Conservation Area and given the set back of the flats, would not interrupt or be apparent in views of the Conservation Area either. It is therefore considered that the proposals would not cause any harm to the setting of the Conservation Area.
- 10.65. Regard has been paid to paragraph 208 and 210 of the NPPF in reaching a decision. When applying the test outlined in paragraph 215, it is considered that the proposal would cause no harm to the significance of the conservation area. Therefore, the proposals would be acceptable in terms of their impact on this designated heritage asset.
- 10.66. Special attention has been paid to the statutory test of preserving or enhancing the character and appearance of the conservation area under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the Conservation Area, and so the proposal accords with Section 72 of the Act.
- 10.67. The proposals are also unlikely to have significant archaeological implications on the basis of present evidence.
- 10.68. The proposals are considered to accord with policies DH3 and DH4 of the OLP and relevant paragraphs of the NPPF.

XI. Land Quality

- 10.69. Policy RE9 of the Oxford Local Plan 2036 states that planning applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment, must be accompanied by a report which fulfils the relevant criteria set out in the policy. Where mitigation measures are needed, these will be required as a condition of any planning permission.
- 10.70. Historical mapping has been reviewed along with the application documents. The site has the potential for slight ground contamination risks as a result of previous historical use of the site and neighbouring uses. For example there was a previously unknown building on site as well as neighbouring industrial uses. Therefore while there are no significant risks of contamination, a limited intrusive site investigation is required to quantify any risks and identify appropriate mitigation which can be secured by condition.
- 10.71. On the above basis and subject to the necessary condition, the proposals would comply with policy RE9 of the OLP.

XII. Health Impact

- 10.72. Policy RE5 of the Oxford Local Plan 2036 states that planning applications for major proposals, the Council will require a Health Impact Assessment to be submitted, which should include details of implementation and monitoring. This must provide the information outlined in the template provided at Appendix 4.
- 10.73. A Health Impact Assessment Report has been submitted with the application. This comprehensively sets out the health implications of the development of this site as well as implementation and monitoring. Most notably the HIA refers to the much needed provision of housing as well as making an efficient use of land in a sustainable and accessible location. The flats will be available to suit a range of population groups based on age and abilities and the new access routes will allow safer access to the public realm. Furthermore the site has been carefully planned and appropriately designed to a high quality, mindful of its local context. The wide range of amenities and good transport connections will encourage an active lifestyle. To lead an active lifestyle there are numerous parks and playgrounds as well as the Oxford Stadium to access green, play and sports areas. The design also supports cycle use. Overall the report concludes that the proposals would likely have a positive impact on future residents and encourages healthier day to day behaviours through sustainable transport choices and a variety of activities. Other positive aspects are the energy efficiency measures to be incorporated and carbon reduction as well as negligible impact on air pollution. Consideration has been given to crime and anti-social behaviour with violent crime being a concern in the City and Blackbird Leys area. The redevelopment of the site will improve security to better and more modern standards, with good and secure sturdy security features in place, adequate lighting and high quality secure homes will likely improve the outcomes and quality of occupants.
- 10.74. In summary the development is considered to have a positive impact in promoting strong, vibrant and healthy communities and reducing health inequalities in particular through the provision of new affordable homes. The development is therefore considered to comply with Policy RE5 of the Oxford Local Plan.

XIII. Utilities

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

Thames Water have been consulted as part of this application and have suggested conditions.

There is no requirement for a gas supply to the proposed development.

The existing water, electricity and telecommunications arrangements would be retained in relation to the existing property.

In light of the above, it is considered that the proposed development would comply with Policy V8 of the Local Plan.

XIV. Planning obligations

10.75. Policy S2 of the Oxford Local Plan 2036 states that, physical, social and green infrastructure and provision for its maintenance may be required to support new development. The City Council will, where appropriate, seek to secure such measures by means of planning obligations, conditions attached to a planning permission, funding through the Council's Community Infrastructure Levy (CIL) or other mechanisms.

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

- Affordable Housing
- Contribution to County Waste and Recycling

11. CONCLUSION

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

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

11.3. The proposals would provide the windfall delivery of 12 much needed affordable homes to meet the Council's housing need, which should be viewed as a significant public benefit of the development.

11.4. The plans include improvements to the remaining space, including landscaping and ecological enhancements. It is considered that the development is located within an area, where occupiers would not be dependent on private car use and would comply with Policy M3 of the Oxford Local Plan. In respect of highway safety and amenity and encouraging a modal shift towards sustainable travel, it is considered that the development would comply with Policies M1, M2, M3, and M5 of the Oxford Local Plan.

11.5. The design of the development is considered appropriate in terms of its form, scale and massing and the appearance of the housing would harmonise appropriately with the character of existing development within the area in

accordance with Policy DH1 of the Oxford Local Plan. The design achieves high sustainability standards, significantly exceeding the carbon reduction requirements outlined under Policy RE1 of the Oxford Local Plan.

- 11.6. Each of the proposed homes would provide appropriate standards of indoor and outdoor amenity for future occupiers in accordance with Policies H14, H15 and H16 of the Oxford Local Plan. It is considered that the scale and siting of the development would not have a significantly detrimental impact on the amenity of existing occupiers by reason of overbearingness, loss of privacy and loss of light and the proposals are considered to comply with Policies H14 and RE7 of the Oxford Local Plan.
- 11.7. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 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.

12. CONDITIONS

Standard time condition

- 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.

In accordance with 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 beforehand 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 of materials

- 3 Samples of the exterior materials to be used shall be made available for inspection on site, and approved in writing by, the Local Planning Authority before the start of above ground works on the site and only the approved materials shall be used.

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

Contamination Risk Assessment

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

Phase 1 shall incorporate a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model and preliminary risk assessment. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.

Phase 2 shall include a limited intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.

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

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

Land Quality Validation Report

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

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

Update to CEMP

- 6 No development shall take place until the complete list of site-specific dust mitigation measures and recommendations that are identified on Chapter 6 (pages 28-30) of the Air Quality Assessment that was submitted with this application, are included in the current site's Construction Environmental Management Plan (CEMP). The new (updated) version of the CEMP will need to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall only be implemented in accordance with the approved CEMP.

Reason: To ensure that the overall dust impacts during the construction phase of the proposed development will remain as "not significant", in accordance

with the results of the dust assessment, and with RE6 of the Oxford Local Plan 2016- 2036.

EV charging

- 7 Prior to the commencement of development, details of the Electric Vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following provision:
- At least 1 charging point per unit (house with dedicated parking); or
 - The amount of electric car charging points should cover at least 25% of the amount of non allocated residential spaces (i.e. flat development).
 - Appropriate cable provision to prepare for increased demand in future years.

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

Reason: To contribute to improving local air quality in accordance with RE6, M4 and S1 of the Oxford Local Plan 2016- 2036 and enable the provision of low emission vehicle infrastructure.

Landscape and Ecological Management Plan

- 8 A Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to occupation. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed, both on and off-site;
 - b) Ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) Details of the body or organization responsible for implementation of the plan; and
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: The facilitate the delivery of biodiversity net gain in accordance with Policy G2: Protection of biodiversity and geo-diversity of the adopted Oxford Local Plan 2036 and to ensure compliance with the Wildlife and Countryside Act 1981.

Ecological enhancements

- 9 Prior to occupation of the development, details of ecological enhancement measures including at least one bat roosting and bird nesting device shall be submitted to and approved in writing by the local planning authority. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to occupation of the approved development. 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.

Water Efficiency

- 10 The dwelling(s) shall not be occupied until the Building Regulations Part G sanitation, hot water safety and water efficiency, Category G2 water efficiency, Optional requirement G2 36 (2) (b) has been complied with.

Reason: To ensure that new dwellings are sustainable and to comply with the Development Plan, in particular Policy RE1 of the Oxford Local Plan 2036.

Secure By Design (SBD)

- 11 No development shall commence until details of how the applicants will incorporate 'Secured by Design principles and/or standards into the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall not be occupied or used until written confirmation of conformity is received by the authority.

Reason: To ensure the development is secure and safe for its occupants and the local community, in accordance with the NPPF.

Tree protection plan - to be submitted

- 12 No development, including demolition or enabling works, shall take place until a Tree Protection Plan (TPP) has been submitted to, and approved in writing by the Local Planning Authority. The TPP shall include such details as are appropriate for the protection of retained trees during development, and shall be in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction - Recommendations" unless otherwise agreed in writing beforehand by the Local Planning Authority.

The TPP shall include a scale plan indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. The approved physical protection measures shall be in place prior to the commencement of any development, including demolition or enabling works, and shall be retained for the duration of construction, unless otherwise agreed in writing beforehand by the Local Planning Authority. The Local Planning Authority shall be informed in writing when physical measures are in place, in order to allow Officers to make an inspection prior to the commencement of development. No works or other activities including storage of materials shall take place within designated Construction Exclusion Zones 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

- 13 No development, including demolition and enabling works, shall take place until a detailed statement (the Arboricultural Method Statement (AMS)) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall detail any access pruning proposals, and shall set out the methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees. Such details shall take account of the need to avoid damage to the branches, stems and roots of retained trees, through impacts, excavations, ground skimming, vehicle compaction and chemical spillages including lime and cement. The development shall be carried out in strict accordance with of the approved AMS unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To protect retained trees during construction in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2016-2036.

Landscape Plan Required

- 14 A landscape plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and 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 2016-2036.

Underground Services - tree roots

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

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

Construction Traffic Management Plan (CTMP)

- 16 A Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. This shall identify;
- The routing of construction vehicles,
 - Access arrangements for construction vehicles,
 - Parking provision for site related worker vehicles,
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network)

The approved CTMP shall be adhered to at all times during construction of the development.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times, in accordance with policies S1, M1 and RE7 of the Oxford Local Plan.

Surface Water Drainage

- 17 Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority . The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- A compliance report to demonstrate how the scheme complies with the 'Local Standards and Guidance for Surface Water Drainage for Major Development in Oxfordshire';
 - Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
 - A Flood Exceedance Conveyance Plan;
 - Comprehensive infiltration testing across the site to BRE DG 365 (if applicable);

- Detailed design drainage layout drawings of the SuDs proposals including cross section details;
- Detailed Maintenance Management Plan in accordance with Section 32 CIRIA C753 including maintenance schedules for each drainage element; and
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any fallout details;
- Consent for any connections into third party drainage systems.

Reason: In the interests of sustainable drainage in accordance with policies RE3 and RE4 of the Oxford Local Plan 2036.

SuDs recording

- 18 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: In the interests of sustainable drainage in accordance with policies RE3 and RE4 of the Oxford Local Plan 2036.

Sewage works

- 19 No development approved by this permission that involves wastewater discharge shall be occupied until a scheme for the improvement of the sewerage system to accommodate the additional wastewater flows from the development has been submitted to and approved in writing by the local planning authority in consultation with the Environment Agency and the sewerage undertaker. The scheme shall:

- Identify the network and/or wastewater treatment works improvements required to provide sufficient capacity to accommodate the development without causing further deterioration in the water quality status of the Northfield Brook or other relevant watercourse.
- Include proposals and a timeline for the implementation and completion of the required network and/or wastewater treatment works improvements in relation to the development or phases thereof.
- Demonstrate that no occupation of buildings that discharge wastewater shall occur until adequate network and wastewater treatment capacity has been created. This may be in line with a development and infrastructure phasing plan that ensures the sewerage system has capacity for the increase in foul flows before each building is brought into use.

The scheme shall be implemented as approved. No occupation of buildings

allowed by this permission shall occur until either the approved scheme for improvement of the sewage system has been completed or in line with the phasing plan set out within the scheme.

Reason: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

Energy efficiency

- 20 The proposed development shall only be carried out in accordance with the energy measures set out in the Energy and Sustainability Strategy undertaken by ERS consultants dated 12/04/2024 and as amended by the supplementary information submitted under cover of agents email dated 2nd October 2024.

Reason: In order to achieve carbon reduction in accordance RE1 of the OLP.

Boundary treatments

- 21 Prior to commencement of the development hereby approved details of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Details shall include as a minimum:

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

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

Reason: In the interests of the visual appearance of the area and to preserve residential amenity in accordance with policies DH1, DH5 and H14 of the Oxford Local Plan 2036.

Cycle parking

- 22 Before the development hereby permitted is commenced 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: In the interests of highway safety and to promote sustainable modes of travel, in accordance with policies M5 of the Oxford Local Plan 2036

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
- 3 The developer can request information to support the discharge of this condition by visiting the Thames Water website at Development Planning Department (telephone 0203 577 9998) or Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk).
- 4 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 Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 5 Any alterations to the public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from the Oxfordshire County Council.
- 6 Important: the statutory Biodiversity Net Gain objective of 10% applies to this planning permission and development cannot commence until a Biodiversity Gain Plan has been submitted (as a condition compliance application) to and approved by Oxford City Council.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

- 7 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.

13. APPENDICES

- **None**

14. HUMAN RIGHTS ACT 1998

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

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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