

Oxford City Planning Committee

20th May 2025

Application number: 24/02371/FUL

Decision due by 8th January 2025

Extension of time 29th August 2025

Proposal Demolition of existing retail buildings and erection of two laboratory and office buildings for research and development, as well as flexible ground floor commercial space (Use Class E). Provision of a cycle parking store, altered vehicular access onto Botley Road, plant, landscaping and associated works.

Site address 195 Botley Road And Units 1 And 1A Botley Retail Park Botley Road, Oxford, Oxfordshire, OX2 0HY – see **Appendix 1** for site plan

Ward Osney And St. Thomas Ward

Case officer Felicity Byrne

Agent:	Elena Butterworth	Applicant:	The Mary Street Estate Ltd (British Land)
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Reason at Committee Major Development

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission; and subject to:

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

1.1.2. **agree to delegate authority** to the Director of Planning & Regulation to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as requested by the Lead Local Flood Authority and as the Director of Planning and Regulation 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 Director of Planning & Regulation 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 the redevelopment of the existing brownfield site to provide high quality Research and Development and office use with associated café/ event space, car and cycle parking, new hard and soft landscape planting.
- 2.2. The development would make best and most efficient use of the site and provide a high quality and sustainable development. The principle of the use on this site in this location is acceptable. It would provide increased employment and meet the demand for high quality laboratories for life sciences and contribute towards Oxford's post-pandemic growth and global reputation. The development would positively enhance the character and appearance of the area through contemporary design and new public landscaped area to the front with Botley Road. The building would be visible in high level long distance views and result in a moderate level of less than substantial harm to the setting of Oxford and the Central Conservation Area. However, it is considered that the level of public benefits derived from the development would outweigh the harm in this case. Whilst the building would also be visible from other surrounding views the effect would not be significant when taking into account visibility of the existing warehouse buildings.
- 2.3. The proposed development is mainly in Flood Zone 1 however a small area of the site is in Flood Zones 2 and 3. The proposed use is acceptable within Flood Zone 3 and the development would maintain the existing flood water storage area, would not contribute towards flooding of the area and acceptable flood mitigation and drainage including sustainable drainage systems would be provided. No significant contamination of the site has been identified however given its former use a watching brief for contamination is required.
- 2.4. There would be a significant reduction in car parking, sufficient cycle parking provided and no adverse impact on the highway in terms of traffic generation subject to conditions and contributions towards Botley Road highways improvements, bus services, improvements at the railway station and Travel Plan.
- 2.5. In terms of impact on residential amenity, there would be no detrimental loss of privacy from overlooking to neighbours to the west which would be satisfactorily mitigated by the angled fins, obscure fritted glazing, distance between buildings and properties and intervening buildings/ structures and new tree planting. In relation to properties opposite the site, whilst there would be a feeling of being overlooked from windows, on balance this would be satisfactorily mitigated by the

distance between buildings across the public realm of the road and new tree planting.

- 2.6. The development would not have a detrimental overbearing impact on adjacent residential properties as it would be satisfactorily mitigated by the separation distance between buildings, the cycle store and new tree planting.
- 2.7. In respect of sunlight, daylight and overshadowing, the development demonstrates compliance with industry standard guidance. There would not be a significantly detrimental impact on daylight or sunlight to properties opposite. In respect of the impact on photovoltaics on No.192 Botley Road, the development would meet BRE guidance and the reduction energy generation would not be significant. Notwithstanding this, the relatively small reduction in renewable energy generated and subsequent contribution towards mitigating climate change would in this case be outweighed by the significantly higher level of renewable energy produced by the proposed development and thus larger contribution to renewable energy systems and mitigation of climate change.
- 2.8. Public amenity afforded by existing trees would be maintained and there would be a net gain in biodiversity as a result of new tree and other soft landscape planting. The potential presence of protected habitats and species has been given due regard and there would be no harm as a result of the development.
- 2.9. Subject to conditions the development would be acceptable in terms of air quality, sustainable design and construction, contamination, lighting, and noise and vibration. A legal agreement is required to secure a community Employment Procurement Plan, Wayfinding contribution to the City Council and contributions to the County Council for transport infrastructure and works.
- 2.10. In conclusion, through the imposition of suitably worded conditions and a completed legal agreement, the proposal would accord with the policies of the Oxford Local Plan 2036, the NPPF and complies with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

3. LEGAL AGREEMENT

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

City Council:

- Provision of a Community Employment Procurement Plan;
- £21,763.31 contribution towards wayfinding in the vicinity of the site;
- £2,817 financial contribution towards Biodiversity Gain monitoring

County Council:

- £602,827 towards bus service improvements.

- £401,066 towards active travel improvements on Botley Road.
- £56,371 towards Oxford Railway Station improvements Botley Road.
- £ 3,265 Travel Plan monitoring fee
- Undertaking to enter into a S278 Agreement for highways works.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL amounting to £391,331.33. Please note that the CIL contribution will increase if permission is issued after the new charging schedule comes into effect.

5. SITE AND SURROUNDINGS

- 5.1. The site is located within the Botley Road retail park on the eastern edge of the City Centre and consists of a single retail warehouse, currently used by Currys. The eastern boundary of the site is bounded by Lamarsh Road with commercial units opposite. To the south of the site lies the rest of the retail park and associated commercial uses. To the north and west of the site are residential properties on the Botley Road. The site is in a highly sustainable location with good public transport into and out of the city, within walking distance of the railway station and Seacourt Park and Ride. It is also located within Flood Zones 1, 2 and 3.
- 5.2. The existing building on site was constructed in the late 1990s and has a gross internal area footprint of approximately 3,494 sqm. It is single storey of portal frame construction with a hipped roof measuring approximately 55m wide by 68m long, 12m to the ridge and 7m to eaves. The building is set back approximately 1.4m from the edge of the footpath along Botley Road with a large expanse of car parking to the side and rear providing 242 spaces, interspersed with trees and along the boundaries. The existing building lies approximately 11.4m away from the neighbouring house No.199 Botley Road and 36.2m from the houses opposite on Botley Road. The vehicular access to the site is from Lamarsh Road which also serves the other commercial units Nos.1-5 Lamarsh Road. These units also share the car parking. Figure 1 below shows the existing site plan:
- 5.3. The Botley Road Retail units 2-5 to the south together with 10 car parking spaces are also owned by the Applicant, shown in blue on the site plan below.



Fig.1 Existing Site Plan

6. PROPOSAL

- 6.1. The application proposes the demolition of the existing retail building and erection of two laboratory and office buildings (referred to as A1 and A2) over four and five floors for research and development (R&D) together with a ground floor commercial unit (Use Class E), together with a publicly accessible courtyard. Provision of car parking, cycle parking store, altered vehicular access from Lamarsh Road, plant, landscaping and associated works. The buildings have been designed to provide 1,295 full time equivalent jobs. Figure 3 below shows the proposed Block Plan.
- 6.2. It should be noted that an application for redevelopment of Units 2-5 (blue land) for R&D development has also been submitted (24/02372/FUL refers) and 11 spaces would be re-provided on this site and 10 existing car parking spaces and right of access from Lamarsh Rd would retained for Unit adjacent, occupied by Jewsons.

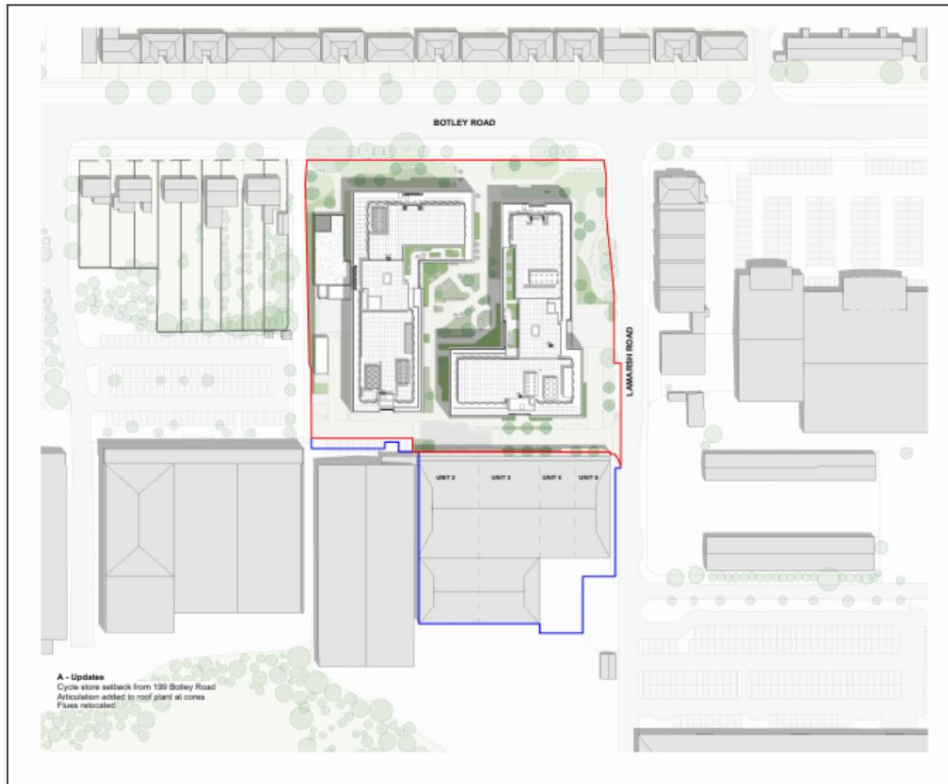


Figure 2 proposed block plan; red line application site, blue line indicates other land owned by the Applicant and is the site boundary for application 24/02372/FUL.

7. RELEVANT PLANNING HISTORY

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

53/03001/A_H - Extension to garage for motor coaches. PER 13th October 1953.

71/24395/A_H - Alterations to form new lavatories and insertion of new first floor to form new mess room. PER 22nd June 1971.

74/00966/A_H - Demolition of part, erection of warehouse and erection of showroom and offices. PER 6th November 1974.

81/00324/NF - Change of use of part from storage to builders merchants. Erection of single storey link, new entrance doors and internal alterations. PER 14th August 1981.

84/00914/NF - Yard check-out building (retrospective). PER 3rd December 1984.

85/00357/NF - New access from main materials stacking area to Lamarsh Road for exit of commercial vehicles. PER 4th July 1985.

85/01132/NOY - Outline application for redevelopment: 2 non-food retail warehouse units (72,500 sq. ft); 1 wholesale warehouse unit for builders

merchant (31,000 sq. ft.) with open storage, parking spaces & alternative vehicular access (Amended Plans). PER 20th October 1986.

86/01163/NR - 2 non-food retail warehouse units (72,500 sq. ft) & 1 whole-sale builder's merchant warehouse (31,000 square ft) with open storage, parking spaces & alternative vehicular access (Reserved Matters of NOY/1132/85) (Amended Plans). PER 10th February 1987.

87/00234/NF - Internal alterations to provide first floor staff accommodation in the 2 non-food retail warehouse units under Approval Ref. NR-/1163/86 (Former Courts Furnishing site of 2, 2A-2C Lamarsh Road and 1 Lamarsh Road). PER 29th April 1987.

91/00796/NF - External alterations including new public entrance extension of canopy and additional service access, required in connection with internal sub-division into two units. (Amended plans) (1 and 1A Lamarsh Road).. PER 16th October 1991.

93/00005/NF - Erection of steel framed aluminium/glass wall (to one side) canopy and steel anti-ram bollards. PER 17th March 1993.

00/01427/NF - External alterations including infilling of glazed areas by brickwork, and rooflights by cladding to match. Creation of new entrance feature.. PER 17th January 2001.

01/00582/NF - Re-positioning of entrance and alterations to east elevation to increase extent of glazing and installation of bollards. PER 30th May 2001.

01/01954/FUL - Creation of internal raised storage platform. Fire exit door to north elevation.. PER 22nd February 2002.

06/00705/FUL - Removal of low wall and bollards to car park at Jewson. Reconfiguration of car park, new vehicular link to adjoining car park to west and ancillary works (Units 1, 2 and 3 Lamarsh Road). PER 31st May 2006.

07/01208/FUL - Alterations to boundary wall including partial demolition and erection of stainless steel poles and guard rail (Units 1 and 2 Lamarsh Road).. PER 20th July 2007.

22/00209/FUL - Alterations to shop entrance and to 1no window to front elevation. Alterations to existing doors to install 1no. roller shutter and 1no. window to side elevation.. PER 30th March 2022.

7.2. Relevant planning history for site adjoining at Units 2-5 Botley Retail Park, Lamarsh Road:

24/02372/FUL - Demolition of existing retail buildings and erection of a laboratory and office building for research and development (Use Class E). Provision of a

cycle parking store, access, a plant, landscaping and associated works. Pending consideration.

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, 135-137, 139-140	H14 - Privacy, daylight and sunlight RE2 - Efficient use of Land DH1 - High quality design and placemaking DH7 - External servicing features and stores	
Conservation/Heritage	207-221	DH2 - Views and building heights DH3 - Designated heritage assets DH4 - Archaeological remains	
Commercial	85-87, 90-95	E1 - Employment sites - intensify of uses 1 -Ensuring the vitality of centres V5 - Sustainable tourism V6 - Cultural and social activities	
Natural environment	153-160, 187, 193,	RE3 - Flood risk management G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure	
Social and community	96-108,		
Transport	109-110, 115-118	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	96, 102, 124-125, 129-130, 162, 166, 181-182, 196-201	RE1 - Sustainable design and construction RE4 - Sustainable and foul drainage, surface RE6 - Air Quality RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN

8.2. Other relevant documents and considerations:

- Town and Country Planning Act 1990

- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance
- Historic Environment Good Practice Advice in Planning Note 3: 'The Setting of Heritage Assets (Second Edition)'
- Technical Advice Notes (TAN) 17 'Botley Road Retail Park Development Brief' supports the Adopted Plan 2036. The TAN is not an adopted policy document. It provides technical advice and guidance.

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 17th October 2024 and 25th February 2025 and an advertisement was published in The Oxford Times newspaper on 17th October 2024 and 20th February 2025.

Statutory and non-statutory consultees

Oxfordshire County Council (Strategic)

9.2. There is no allocation of these sites in the adopted Oxford Local Plan 2036. The Botley Road Retail Park Development Brief (TAN17) dates from October 2022 and covers sites on the south side of Botley Road (including 234 Botley Road: 24/02361/FUL and 24/02372/FUL).

9.3. The Development Brief TAN17 provides advice about proposals for change of use given the demand for new R&D uses.

9.4. Other approved developments for R&D and offices nearby are described in the Transport comments attached (22/03076/FUL and 21/02053/FUL).

9.5. The area is subject to flood risk. The flood risk is a key reason why new residential activities are not proposed in this area. Application MW.0027/22 is the Oxford Flood Alleviation Scheme which received a resolution to approve from the County Council on 15/07/24 and, given that the Secretary of State did not call the application in, the consent can be finalised with agreed conditions and a S106 agreement in due course.

Oxfordshire County Council (Highways)

9.6. No objection subject to S106 Contributions towards Highway works, public transport services, public transport infrastructure improvements, travel Plan monitoring fee and an obligation to enter into a S278 Agreement; and subject to conditions requiring details of the means of access, cycle parking, delivery and servicing management plan, car park management plan, Travel Plan, Travel Plan Statement, Construction Traffic Management Plan. Their comments are summarised as:

- The application is for the redevelopment of 2 commercial units at 1 and 1A, 195 Botley Road into two laboratory and office buildings with a GIA of 21,470 sqm.
- The number of employees on-site is estimated to be up to 1,026 per day. [NB this is based on an 80% occupancy]
- The site is situated in a sustainable location with good access to frequent bus and train services, as well as good active travel routes to the city centre.
- Further sustainable travel improvements are planned as part of the Botley Road Improvement Scheme and the Oxford Station Interim Improvement Plan.
- Access arrangements are considered acceptable.
- The development will be car-light with only 2 parking spaces provided for operational need.
- The cycle parking provision of 252 spaces exceeds the minimum standards.
- The development could generate 411 two-way person trips in the morning peak hour and 373 two-way person trips in the evening peak hour, across the day there would be 2,902 daily two-way person trips.
- The applicant proposes very ambitious sustainable modal split targets, especially as Seacourt Park and Ride is located within easy walking distance of the site.
- In order to achieve these sustainable travel targets, contributions to upgraded bus services, the Botley Road Improvement Scheme and the Oxford Station Interim Improvement Plan are required.
- A full Travel Plan, Travel Plan Statement, Delivery and Servicing Plan, Car Park Management Plan and Construction Traffic Management Plan (CTMP) will be required, and conditions have been requested to secure these.

Oxfordshire County Council (Public Health)

9.7. No objection. Comments relate to public health. This is in a highly sustainable location for a variety of travel options, with access to nearby rail links at Oxford Station and frequent bus services. The offroad walking and cycling provision along Botley Road is also conducive to active travel being a safe and convenient mode of travel to and from the site. On site cycle parking is welcomed and should be secure, covered, and easily accessible at building frontages so to encourage cycling. A Travel Plan, locker, shower and changing facilities should be provided. Support the inclusion of landscaping within the development.

9.8. We acknowledge the applicant's commitment to agree a Dust Management Plan with OCC prior to the commencement of works. Air quality data from pre 2023 will be more representative of the regular conditions along Botley Road, due to the recent closure to most traffic. We support the commitment to installing noise-cancelling architectural buffers. Noise from the demolition and construction elements of this proposal will be mitigated by following a Construction Management Plan.

9.9. The submitted Health Impact Assessment (HIA) is well structured and includes most of the content we would expect to see in a comprehensive HIA, following accepted methodologies, education and skills which could have been scoped in. The HIA lacks a commentary on which population groups will be impacted by each determinant. No negative impacts of the proposed development were identified in the assessment, however a couple of ways in which positive impacts can be further enhanced have been listed and on the basis that these additional recommendations are noted, we support the findings of the HIA.

Oxfordshire County Council (Lead Local Flood Authority)

9.10. No objection subject to conditions regarding the drainage strategy and record of installation. Further to the submission of additional information, the latest surface water drainage information provided satisfies the LLFA request for further information.

Oxfordshire County Council (Fire and Rescue)

9.11. It is taken that these works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service, to ensure compliance with the functional requirements of The Building Regulations 2010. It is taken that fire service access will be in line with B5 of Approved Document (B).

Historic England

9.12. Do not wish to offer advice and suggest you seek the views of internal specialist conservation and archaeology advice in this case.

Thames Water Utilities Limited

9.13. No objection. Comments are summarised as:

9.14. Following initial investigations, Thames Water has identified an inability of the existing sewage treatment works infrastructure to accommodate the needs of this development proposal. As such a condition should be imposed requiring details of sewage works upgrades or a development and infrastructure phasing plan has been agreed prior to occupation.

9.15. The proposed development is located within 15 metres of a strategic sewer. Thames Water requests a condition requiring a piling method statement. There are public sewers crossing or close to your development. Any significant work near our sewers should minimize the risk of damage.

9.16. Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. As such a condition should be imposed requiring details of foul water network upgrades or a development and infrastructure phasing plan has been agreed prior to occupation.

9.17. Thames Water has no objection with regard to surface water network infrastructure capacity. Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions and a sustainable surface water strategy should be designed. The scale of the proposed development

doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding.

- 9.18. Water comments: Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. As such a condition should be imposed requiring details of water network upgrades or a development and infrastructure phasing plan has been agreed prior to occupation.

Active Travel England

- 9.19. Active Travel encourage the local planning authority to consider their standing advice as part of its assessment of the application.

Environment Agency

- 9.20. No objection subject to conditions requiring the development to be carried out in accordance with the submitted flood risk assessment.

Thames Valley Police

- 9.21. This development should achieve Secured by Design accreditation, secured by condition. Without knowing the tenant of the buildings or the holdings that may be contained within, it is not possible to provide full guidance for appropriate security specifications to be provided. As such Secured by Design Commercial 2023 should be used as the minimum standard across the development. A Security Needs Assessment (SNA) should be completed by a competent Suitably Qualified Security Specialist (SQSS) prior to occupation to help inform design and specification of access points and controls, CCTV systems, alarms and any additional lighting requirements.
- 9.22. A detailed security and access strategy should be provided demonstrating would building security will be managed to prevent unauthorised access. Of concern is the open reception layout, where an offender will be afforded unhindered access to stair cores and the opportunity to potentially tailgate through doors to gain access to sensitive areas of the development.
- 9.23. The service road to the south of the site should be protected with an electronically access controlled vehicle barrier to prevent unauthorised vehicles and vehicle -born threats. Bollards should be provided along building elevations that abut the access road, to prevent vehicles damaging the building and glazed elevations.
- 9.24. Cycle parking to the north are located where they are easily accessible but not well overlooked by active surveillance from the buildings they serve. All cycle parking including visitor spaces must be overlooked by CCTV and be well lit.
- 9.25. External enclosures for waste, plant etc. should be within a secure compound with enhanced security doors and CCTV. It is unclear from plans how post deliveries will be managed outside of the buildings opening hours. There is no information on lighting and therefore lighting should be secured via condition.

Oxford Bus Company

9.26. Oxford Bus Company (OBC) supports the application in principle, noting the strategic locational advantages of the site and the compatibility of the proposals with adopted and emerging transport and development policy. Key points raised can be summarised as:

1. Sustainable Accessibility:

OBC highlights the site's exceptional connectivity by public transport, particularly its proximity to Oxford railway station and the Seacourt Park and Ride (P&R) facility. This accessibility supports a strong policy basis for car-free development and aligns with the County Council's Central Oxfordshire Travel Plan (COTP) and the Local Transport and Connectivity Plan (LTCP5).

2. Public Transport Impact and Opportunity:

The temporary closure of Botley Road has had a detrimental impact on bus services in the corridor. However, OBC anticipates that once reopened, service levels will be restored—potentially with interim financial support—and that the proposed development would be well-served by a high-frequency public transport network. The development is therefore seen as an opportunity to further strengthen sustainable modal shift.

3. Strategic Fit within Innovation Corridor:

OBC notes that the proposals reinforce the emerging innovation and knowledge-based economic cluster extending west from Oxford station. The scheme is consistent with the City's aspirations for this part of the West End and will support the physical clustering required for research and technology-based employment growth.

4. Support for Car-Free Development and Active Travel Improvements:

OBC supports the applicant's car-free approach and the associated reduction in car parking spaces, which it sees as necessary to support wider transport policy objectives, including targets for reducing car journeys by 2030 and 2040. The company also supports developer contributions towards enhanced bus services and urges further measures to improve active travel infrastructure and bus stop design in line with LTN 01/20 standards, including 44 service, from Abingdon and Wootton and west-north services. Achieving the 40% bus mode share to the site is possible however it will also need both capacity and frequency available at the point of occupation.

5. Botley Road Improvements Scheme:

OBC suggests the integration of this development into the redesign of the Botley Road, recommending:

- Removal of redundant turning lanes;
- Delivery of compliant westbound cycling infrastructure;
- Improved pedestrian crossings aligned with desire lines;

- Early engagement with the County Council to ensure that the opportunities for sustainable modes are fully identified and facilitated.
6. Use of Seacourt Park and Ride:
While OBC typically objects to displacement of Park and Ride usage, it accepts projected demand associated with the scheme on the basis of current underuse of Seacourt P& R, available capacity, and spatial separation from high-demand areas of the site. OBU suggests optimal future management may be needed to balance usage.

Natural England

9.27. No objection. The proposed development will not have significant adverse impacts on designated sites and has no objection. It is considered that the development would not damage or destroy the interest features in Port Meadow with Wolvercote Common & Green Site of Special Scientific Interest. This site is close to a drain emptying into Seacourt Stream, which runs through areas of priority habitat including coastal floodplain grazing marsh and lowland meadows. It therefore recommends a Construction Environmental Management Plan be secured by condition.

Public representations

9.28. Public comments from persons listed below have been received and their comments can be summarised as follows:

26 Sweetmans Road
138 Marlborough Road
56, North Hinksey Village
49, 174,182, 190, 192, 199, 201, 203 Botley Road
163 Hollow Way
18 Loyd Close Abingdon
11 Eaton Abingdon
9 West Way
Flat 16, Quadrangle House, St. Peters Road
7 Montagu Road
99 Cumnor Hill
6 Earl Street
6 Abbey Walk
69 Hurst Rise Road Cumnor Hill
6, 51,66 Abbey Road
21 Bridge Street Osney
37 Nursery Close
11 Nobles Close
15B Eynsham Road
49 Pinnocks Way
44 Evenlode Road Wallingford
16a Trinity Road
Advance Oxford, Stansfield Park
Oxford Preservation Trust

- Reduce existing community facilities/ retail amenities, reducing convenience and local amenities, contrary to 15 minute city concept
- Large DIY stores provide large cost retail items including white goods etc. This cannot be reprovided elsewhere in Oxford
- No more lab and office space needed here
- Locals have already had to suffer years of disruption on the Botley Road
- Affordable housing should be provided instead
- Site should be allocated for housing
- If housing unsuitable due to flooding challenges, why is lab and office space acceptable?
- Reduction in community facilities will increase traffic, congestion, air pollution as people travel further to find these retail amenities
- Take away local jobs similar space in Osney Mead
- Unacceptable height, too high
- Large number of window overlooking resulting in loss of privacy (home and garden)
- Proposed fritted glass may not be opaque enough to prevent overlooking, still maintain a feeling of being overlooked,
- Fritting not along the whole of the western elevation and therefore overlooking still possible
- Strategic planting along the western boundary would mitigate overlooking providing an attractive year round solution
- Loss of daylight and sunlight to properties opposite and adjacent.
- Loss of direct sunlight to photovoltaics on Nos.190 and 192 reducing solar gain and electricity generated, more artificial light would be needed.
- Overshadowing effect on neighbours
- Out of scale and character
- Incongruous ugly architecture
- Support in principle but concerns regarding the height of the building (mainly the roof at plant level and extraction chimneys).
- Impact in long distance high level views in and out of the City to the western hills from proposed height and massing, Significantly alter skyline
- The flood risk assessment shows the development would increase risk of flooding, development should mitigate against the net increase in flood water volume.
- 2 disabled car parking spaces is a low number for the estimated 1026 employees on site at any one time, disabled users need assurance these spaces would be available if needed; the number should be increased.
- Lack of disabled spaces could be barrier to jobs
- Development not car-free, significant numbers of car trips would be made and parking shifted to off site public car parks
- Internal courtyard would not be visible from the Botley road
- The courtyard space would be dark and unwelcoming surrounded by tall buildings
- Increase in air pollution from tall building along the Botley Road with the traffic congestion, reduction in traffic to the site would not compensate for the concentration of air pollution levels on Botley Road

- Poor existing infrastructure for bikes on Botley Road – a dedicated cycle lane (not using pavement) would mitigate increased cycle traffic
- Concern about release of emissions from fume cupboards, particularly without a known occupiers. No details or guarantees given on how this would be minimised.
- Noise, disturbance and pollution caused during construction
- Clarity needed on anticipated employment numbers – confusion across documents
- Provision of a café and public space would not provide anything more that already provided in the area. Don't need more cafes.
- Positive health benefits cited are outweighed by air pollution/ lab emissions
- Labs close to residential is inappropriate
- Whilst demand to lab and office is said to be high, a lot is being built and currently not yet occupied. Concern that this site would remain empty at the expense of retail amenities.
- Materials that reduce glare and heat reflection should be used.
- Concerned about the proximity of the substation to residential property and health and safety effects
- Concern regarding the impact on the sewage system capacity in the area, raw sewage contaminated pavements/ fields in recent years
- Employee housing is needed to meet the need of the new development
- Welcome the car-free aspirations for the site
- Do not believe this development will provide a significant number of high quality jobs; will be in lower-paid roles and will have to live further out from the City, increasing commuting
- Social Impact Strategy does not include several other cafes and restaurants in the area
- Concern about noise from roof top plant and flues to residents and wildlife
- Concern about damage to properties caused by construction
- Biodiversity green washing, harm caused by construction, buildings should be re-purposed, mature trees lost
- Profiteering by landowners at expense of locals
- No proper engagement on change in character of Botley Road
- The ownership and intended usage of these proposed buildings is significantly lacking in clarity; unclear what work would be undertaken or why
- Impact on local environment, creating a micro climate starving the area of light and airflow resulting in poorer health

9.29. Further comments in addition to those above from second round of public consultation:

- Increased bird strikes due to large amount of glazing, suggest Pilkington AviSafe glass to mitigate this.
- Revised details now indicate over 400 staff who will be employed on this site
- The angled fins added to the design only apply to the North-West of the building No.199 will still suffer from overlooking from the South-West end of the proposed building. Angle of the fins is unclear.
- Development only 21m from no.199 not 25m in the Botley Road Retail Brief
- Height would exceed the 13.2m height in the Brief. Height should be reduced.

- Line of trees along the west side of the property are useful, but question species choice (sticky residues and Holly is typically a shrub). Suggest Magnolia Kobus
- How will staff travelling to the site be managed to ensure use of public transport and cycling etc?
- Average salary claimed seems unrealistic
- Why the need for accompanying office space
- Concern about leak of lab contaminants into water stream
- Concerns about the inclusivity of evening social events intended to foster networking and reduce barriers to STEM employment, as set out in the Social Impact Strategy, including possible age discrimination and disadvantaging carers
- Harassment, bullying and exploitation is prevalent in the research sector

Support:

- Proposals would create high-quality and accessible workspace in the city, helping address the shortage of lab space, create new jobs and space for businesses of all sizes to prosper. Ensuring Oxford remains a leader in scientific and technology development - benefiting the economy and driving innovation.
- It is an important site to support other development nearby around the rail station e.g. West End and Oxpens
- Help to create an innovation cluster in proximity to skills, education and transport infrastructure and connectivity.
- designed with the highest standards for sustainability
- Includes welcoming spaces for the wider community

Officer response

9.30. Comments in relation to the Social Impact Study and inclusivity of evening events, age discrimination etc and in relation to staff Harassment, bullying and exploitation in the research sector, whilst noted, are not a material planning consideration. In relation to the substation, it is already on site and is being relocated. There are no issues therefore around health and safety in residential areas. Other points raised are dealt with later in the report.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a) Principle of Development:
- b) Design and Heritage
- c) Amenity
- d) Transport
- e) Flood Risk and Drainage

- f) Landscape and Trees
- g) Biodiversity
- h) Land quality
- i) Air Quality
- j) Archaeology
- k) Sustainable Design and Construction
- l) Noise
- m) Utilities

a. Principle of development

- 10.2. At the heart of the National Planning Policy Framework (NPPF) remains a presumption in favour of sustainable development, which should be approved without delay unless material considerations dictate otherwise. Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative, or high technology industries, and for storage and distribution operations at a variety of scales and in suitably accessible locations.
- 10.3. Paragraph 125(c) of the NPPF states planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other uses, proposals for which should be approved unless substantial harm would be caused. When determining such proposals, decision makers will need to take account of this policy alongside other policies within the Framework taken as a whole.
- 10.4. Policy S1 of the Oxford Local Plan 2036 (OLP) is consistent with this approach. 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. In accordance with Policy RE2. Policy SR2 sets out that where appropriate the Council will seek to secure physical, social and green infrastructure measures to support new development by means of planning obligations, conditions, funding through the Council's Community Infrastructure Levy (CIL) or other mechanisms.
- 10.5. The application site forms part of the wider retail park. It is not a protected employment site and does not have any designation or protection within the current OLP. A degree of employment is provided as part of the current retail use, a total of 35 jobs full time equivalent (FTE), which also sits outside the main City Centre retail area and Botley district shopping centre. R&D and office use now fall within the Class E use and therefore the current warehouse could be converted to this use without requiring planning permission. The Botley Road Retail Park Development Brief (DB) aims to guide development within the Botley Road Retail Park area within the Technical Advice Note 7. The document recognises changing retail trends and the need to support and manage new development in the area.

It recognises the site has potential to add to the capacity to accommodate the demand for new R&D uses.

- 10.6. The Oxford Local Plan recognises at para 128 that Oxford has one of the highest concentrations of knowledge intensive businesses in the UK. It has the fastest growing and one of the best educated workforces in the country and is the main centre of research and spin outs in the county. The Local Plan supports the growth of these sectors and puts in place measures to manage the effects of success. The Oxfordshire Strategic Economic Plan (2023) sets out the long-term vision and ambitions for economic growth in the County, to enable business to thrive, encourage innovation and widen opportunities and jobs, secured resilient infrastructure and ensure that Oxfordshire's places are sustainable and inclusive, and that local communities flourish. The Oxfordshire Local Industrial Strategy (2019) looks to position Oxfordshire as one of the top 3 global innovation ecosystems highlighting the County's world leading science and technology cluster. Oxford's Economic Strategy 2022-2032 states that a lack of R&D and flexible office space remains one of the biggest barriers to growth within Oxford.
- 10.7. The application is supported by a Market Needs Assessment and an Economic Statement. It states that Oxford's R&D lab space is driven by Science and technology R&D intensity, where Oxford is ranked 3rd in the world; £20.3 billion in capital investment into the Oxford science ecosystem from 2019 to May 2024; the University of Oxford being ranked number 1 in world which has produced 210 spin outs since 2011, the highest of all UK universities over this period; growth in the UK's share of R&D based businesses from 14% in 2015 to 24% in 2022. High rises in lab rent over the last 10 years shows that strong demand from occupiers and reflects the drivers of growth but also indicates there is a shortage of lab space, this creates risk that lab space will become unaffordable and thus occupiers will go elsewhere.
- 10.8. The proposed development, together with the new lab space proposed adjacent 24/02372/FUL and at 234 Botley Road (24/02361/FUL) (please note: at time of writing these applications have not yet been determined) would contribute towards Oxford's future growth and aim of being a leading innovation cluster in a highly sustainable location. Whilst speculative, the development would provide a range of tenancy sizes, which would cater to companies at various stages of their growth within a new knowledge and economy cluster together with other approved and occupied R&D development nearby.
- 10.9. The development would provide a maximum of 1282 jobs (FTE), and a net increase of 1247, for Oxford and the economy as a whole once operational. Jobs would also be created during the demolition and construction period, which would also contribute towards the local economy, secured within a Community Employment Plan. This could be secured via a S106 legal agreement.
- 10.10. Notwithstanding Oxford's acute need for housing, the site is considered unsuitable for residential development due to the fact it lies partially within, and surrounded by, Flood Zone 3 (FZ3) which is considered unsuitable for such a high risk and vulnerable use. Employment uses are considered acceptable in this location providing existing flood storage areas are maintained and further flood risk

mitigated (see additional consideration of this in the Flood Risk and Drainage section in the report below).

- 10.11. Policy V1 of the Oxford Local Plan 2036 states that proposals for development of town centres uses outside a centre must demonstrate compliance with the 'sequential test'. Furthermore, planning applications for retail and leisure development outside centres which are 350m² (gross) or more, must be accompanied by an 'impact assessment' and as part of such an assessment, demonstrate with evidence that there will be no adverse impact on the vitality and viability of the existing centres, and that good accessibility is available for walking, cycling and public transport.
- 10.12. As the development falls within Class E use class which now includes amongst other things retail and office use a sequential test is required. National retail context has changed significantly in the last five years with more online shopping and impacts of the Covid pandemic, cost of living crisis and reduction in economic growth rates. Consequently there is limited demand for additional retail floorspace. The Oxford Retail and Leisure Study (ORLS) confirms an excess of retail floorspace until after 2032. As such the loss of this retail would not significantly impact on the City Centre retail provision.
- 10.13. The submitted sequential test assessment demonstrates that there is no sequentially preferable site that could accommodate the proposed development and as such accords with V1. It is acknowledged that the ability to provide R&D within the City Centre is problematic due to availability of sites, constraints of the historic core, plot sizes and sensitivity to heights within this area.
- 10.14. In conclusion, it is considered that the development would make best and most efficient use of the site and intensify the existing employment use. The development presents an opportunity to deliver high quality lab and innovation spaces and in a high sustainable location close to the City Centre. In accordance with para 125 of the NPPF, the re-development of brownfield land to meet the identified need for Oxford's economic growth is given substantial weight in this case.

b. Design

- 10.15. In relation to design, the NPPF emphasises that high quality buildings are fundamental to achieving sustainable development and good design creates better places in which to live and work and helps make development acceptable to communities. New development should function well, be visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site and create places that are safe, inclusive and accessible and which promote health and well-being.
- 10.16. In considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction,

or from development within its setting), should require clear and convincing justification.

- 10.17. Development proposals that would lead to substantial harm or result in total loss of the significance of a designated heritage asset should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm. Where development would lead to less than substantial harm to the significance of a designated heritage asset that harm should be weighed against any public benefits the proposed development may offer, including securing its optimum viable use.
- 10.18. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require local planning authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses and the character or appearance of any conservation area respectively. Case law has made clear that considerable importance and weight must be given to the desirability of preserving the listed buildings and their setting when carrying out the balancing exercise (of weighing harm against other planning considerations).
- 10.19. Policies DH1 and DH3 of the OLP are consistent with the NPPF because they include the balancing exercise identified above. Policy DH1 of the OLP requires new development to be of high quality that creates or enhances local distinctiveness and is inspired and informed by the unique opportunities and constraints of the site and its setting. DH3 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 and locality. Where development affects the significance of designated heritage assets, 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. Substantial harm to or loss of Grade II listed buildings, or Grade II registered parks or gardens, should be exceptional. Substantial harm to or loss of assets of the highest significance, notably scheduled monuments, Grade I and II* listed buildings, Grade I and II* registered parks and gardens, should be wholly exceptional. Development that will lead to substantial harm to or loss of the significance of a designated heritage asset, planning permission will only be granted if it meets the tests set out in the policy. 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.
- 10.20. Policy DH2 of the Oxford Local Plan 2036 states that planning permission will not be granted for any building or structure that would harm the special significance of Oxford's historic skyline. The area within a 1,200 metre radius of Carfax tower (the Historic Core Area) contains all the buildings that comprise the historic skyline, so new developments that exceed 18.2 m (60 ft) in height or ordnance datum (height above sea level) 79.3 m (260 ft) (whichever is the lower) are likely to intrude into the skyline. Development above this height should be limited in bulk and must be of the highest design quality.

- 10.21. Policy RE5 states that the Council seeks to promote strong, vibrant and healthy communities and reduce health inequalities. Proposals that help to deliver these aims through the development of environments which encourage healthier day-to-day behaviours and are supported by local services and community networks to sustain health, social and cultural wellbeing will be supported. Developments must incorporate measures that will contribute to healthier communities and reduce health inequalities. All major developments 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.
- 10.22. Standards of amenity (the attractiveness of a place) are major factors in the health and quality of life of all those who live, work and visit Oxford. Policy RE7 is an all-encompassing policy covering different aspects to ensure a standard of amenity. Development should protect amenity, not result in unacceptable transport impacts affecting communities, occupiers and neighbours, and provide mitigation measures where necessary. Policy H8 states that for developments of 20 or more student bedrooms, the design must include indoor communal amenity space for students to gather and socialise.
- 10.23. In addition to the Local Plan, the Botley Road Retail Park Development Brief (DB) for the whole Botley Road Retail Park sets out parameters for any new development including guidance on constraints, overall heights, views and aspirations for change such enhanced public realm along Botley Road and more green spaces.

Heritage Significance

- 10.24. Oxford City itself is nationally important and a significant heritage asset. The rural setting of Oxford is considered to make an important contribution to its historical significance. The various streams of the River Thames are visible and marked by the riparian, river edge vegetation that grows along their banks. The course of these streams are visible by this vegetation from the medieval core of the city. The western hills, the corallian limestone outcrops that rise to the west of the site offer views back to the city and its distinct and celebrated skyline, an extremely valuable feature that is comprised of the tall built elements, spires and towers of a number of individual listed buildings that tell the story of Oxford's evolution and cultural development from the C9 to the C21. The hills also provide the background to views out of the city across its significant landscape.

Oxford Skyline

- 10.25. Significance as a distinctive visual feature made up of key, tall elements of individual listed buildings many of the highest architectural significance that collectively form a composition that has cultural, historic communal as well as aesthetic value. The individual elements mark or identify the history or evolution of Oxford from the C9 St George's Tower through to the late C20 early C21 Said School Ziggurat importantly providing the observer with more than an aesthetic experience but also one that makes reference to cultural events. The skyline has a wide setting in which it is experienced and which in turn contributes to its significance. The overall significance is considered to be extremely high.

Central Conservation Area

- 10.26. The Central Conservation Area Appraisal states that Oxford's "history, its architecture, its townscape and its setting within the landscapes combine harmoniously, and frequently spectacularly, to convey a strong sense of the specific nature of the city."
- 10.27. The Central (City and University) Conservation area comprises the medieval and post-medieval built environment of Oxford. Oxford developed on the river gravel terraces of the Thames and Cherwell rivers, and it is surrounded by the distinctive landscape in which those gravel terraces developed. There is therefore a strong and extremely important connection between Oxford and its surrounding landscape setting. This connection applies to the Central Conservation Area.
- 10.28. The landscape features, the bifurcating streams of the rivers with their riparian landscape markers, the meadows and the ribbons of river edge vegetation including willows and alders; the ridges of Corallian limestone outcrops that appear as wooded and agricultural field covered hillsides that rise above the river valleys all survive as distinctive features and are visible from places inside the boundary of the conservation area as well as offering long prospects of the conservation area, the buildings within it from their high locations.
- 10.29. These views contribute to the setting of the conservation area which in turn contributes to the significance of the heritage asset.
- 10.30. The views and the important connection between the settlement and its landscape setting have been captured and continue to be captured in art, painting and photography and literature, including poetry and these events contribute to the value of the setting to the significance of the area designated as the Central Conservation Area.
- 10.31. The overall conservation value or importance of the landscape surroundings is considered to be high and the contribution that this makes to the special character of the conservation area is considered to be significant.

Oxford Castle

- 10.32. The core of the castle precinct is a scheduled ancient monument which is a heritage asset of the highest significance. Within the precinct there are also a number of listed buildings including the defensive structures, the C9 or earlier castle motte or mound and the possibly earlier tower of St George's Chapel both of which offer views across the landscape setting of these listed buildings. The individual listed buildings are of the highest significance being grade I listed. The significance of the buildings is in part one of defensive architecture, watching and guarding over the landscape which in turn makes an important contribution to the setting of the heritage assets/listed buildings.

Design and Heritage impact

- 10.33. Amended plans were submitted during the application to address concerns about the materials, façade treatment, plant, and overlooking.

- 10.34. The proposed development is designed as two L-shaped buildings (A1 and A2) set around a central open courtyard space, with public access through from the Botley Road through to the adjoining building proposed under 24/02372/FUL to the south. A1 is four storeys plus plant and sits of the west of the plot. A2 is five storeys (plus plant) and sits to the east adjacent to Lamarsh Road. The cycle parking would be in a linked single storey building (with a green roof) to A1 on the far western boundary with the foot/cycle path that runs alongside.
- 10.35. A1 measures approximately 43m wide (facing Botley Road), 25m wide to the rear and 78.5m long overall, 17.3m to eaves/roof and 21.5 high to the top of the plant. A2 measures approximately 25.5m wide facing Botley Road), 48m wide to the rear and 76.3m long overall, 21.8m to eaves/roof and 25.3m high to the top of the plant. The building would be set back by approximately 11m from the Botley road (footpath). It would be set away approximately 25m from the adjacent house to the west No.199 Botley Road and 46m to houses opposite on the northern side of Botley Road.
- 10.36. The design is of a contemporary architectural form, the massing and scale broken up by centralised stair cores, variation in materials, vertical fins and inset windows, see figure 3 below. The main façade materials proposed are brick and corrugated metal panels in colour and tone to reflect the surrounding context and also respond to views. On the west elevation where the windows face onto the residential properties, the angled facade fins and fritted glass would mitigate against overlooking. Photovoltaics (PV) would be placed at roof level. The plant screen would be set back form the building edge and angled to articulate it and in a darker colour to help mitigate the visual impact in long distance views. Two external roof terraces face the internal courtyard. At ground floor the main entrances to both buildings would be from within the central courtyard area. A1 would have a commercial café/ events social space, facing partly onto Botley Road and into the square to help enliven and articulate the building.



Fig 3 shows CGI of the proposed development seen from Botley Road; Building A2 to the left and A1 to the right.

- 10.37. In relation to this site specifically, the DB advises a building line setback from the Botley Road to allow new public realm opportunities, a 25m distance to the boundary with No.199 Botley Road and maximum 17.3m height onto Botley Road, dropping down to 13.2m parallel to No.199. Suggested heights are those likely to be acceptable and should inform further rigorous testing and analysis to support individual development proposals that may come forward. In accordance with the DB, as part of the pre-application and application process heights and appearance have been tested in views and revisions made where necessary.
- 10.38. It is acknowledged that the height would exceed the guidance heights in the DB. However, the buildings have been designed to meet the required floor to ceiling heights for labs and provide a quantum of development that enables the site to come forward as flexible R&D lab and office space, and in a way that also makes good use of the site and provides new public biodiverse green spaces, reduces parking to almost zero, with a significant improvement to the public realm. In addition, the building heights and massing have been tested in views, see below, which has also taken into account other R&D approved and under construction, and proposed development under 24/02371/FUL. On balance therefore, it is considered that exceedance of heights set out in the DB in this location is outweighed by the benefits of the development including redevelopment of brownfield land.
- 10.39. The HIA demonstrates that overall the development would have a positive impact on health. It recommends further enhancement to increase this positively through engagement between occupiers and the local community to ensure changing needs are met and establishing local procurement, training and employment agreements. The County Council commented that on the basis that these additional recommendations are noted, the findings of the HIA are supported. Continuing engagement could be dealt with by a suitably worded informative. Local procurement etc. would be dealt with and secured via the Community Employment Procurement Plan secured by the legal agreement.
- 10.40. The submitted wind assessment demonstrates excellent wind comfort levels, with all areas meeting acceptable conditions for their intended purpose, even when considering the adjacent development under 24/02372/FUL. Therefore, no mitigation strategies are required.
- 10.41. High quality hard and soft landscaping is proposed around the site with a series of public artworks across the site from the frontage, signalling the site, to others within it to draw the public through. These are proposed as multifunctional including for wayfinding, play, eating or resting. These could be secured by condition.

Views

- 10.42. The submitted LVIA has provided views of the buildings proposed as part of the application but also cumulatively with the adjoining development under 24/02372/FUL. It also shows the impact cumulatively with the R&D development approved and under construction at 135-137 Botley Road (22/03076/FUL refers) and which will sit to the east of the development.

- 10.43. Whilst the site is outside the designated view cones in Policy DH2, the development would be visible from closer views within the surrounding streets and from Hinksey Meadows and in the long-range high level views looking west from high view points within the City Centre; Carfax Tower, St Marys, St Michael's of the Northgate and St George's Tower.
- 10.44. From St Michael at the North gate, the development would be just visible in the backdrop to the left of the copper spire of the Said Business School and beside the Premier Inn building which sits just above the horizon. As such it would result in an element of sky lining also. The visibility of the proposed development is reduced owing to the darker material palette and the greater layering of the eastern elevation following the setting back of the third floor. As such the building would not be visually prominent and would not compete with nor distract from the Said Business School spire. Therefore whilst skylining, it is considered that there would be a minor change to the view.
- 10.45. From St George's Tower and Carfax Tower, the development would be visible within the existing suburban roofscape to the left of Seacourt Tower and against the more rural green backdrop. It would sit well below the skyline of the western hills and above the tree line which follows the River Thames but it would disrupt the trees along the Hinksey stream behind it, which form part of the landscape setting of the city and wider surroundings of the Central Conservation Area. It would not compete or distract from Seacourt Tower or other taller buildings within the view nor would it alter the character of the view. The darker tonal colours mitigate the view of the building. Once built however the 135 R&D building would mostly screen Building A2 with its plant level popping up behind. Within summer views the existing trees within this view would soften and reduce the visual impact. The proposals would result in a minor change to both these views.
- 10.46. From St Marys, the development sits within the built-up roofscape behind Nuffield College spire, set below the skyline. The darker tonal colours mitigate the view of the building. It would be almost completely screened by the R&D at No.135. As such it is considered that the development would have a very small minor change to this view.
- 10.47. From Castle Mound the development in this view is heavily filtered and screened by the existing mature planting within the middle-ground of the view, even in the winter view, and would only just be glimpsed above the existing roofscape. It would not appear visually prominent due to the material colour, nor would it detract from the historic roofscape of the city or landscape backdrop of the western hills. It would be almost completely screened by the R&D at No.135. The proposal would result in a very minor change to this view.
- 10.48. From South Park, the views are kinetic, however the building would sit in the far distance at the back of the historic roofscape. The dark colour of the plant screen mean that it would hardly be visible or noticeable within that roofscape. It would not compete with the historic spires. As such the proposal would result in a very minor change to this view.
- 10.49. Within closer range views, the building would be seen behind the proposed R&D under 24/2372/FUL from the southern end of Hinksey Meadows in winter above

and behind the existing retail warehouses. Whilst the building would be visible it would not significantly change the character of the view as a result, particularly when considering the cumulative view with the R&D building at 135 Botley Road. The articulation, materials and palette would help minimise the visual impact in this view and help it sit within the existing composition of the view. During summer the existing warehouses are not visible behind tree screening and these trees would help soften the visual impact during summer. As such it is considered that the proposals would result in a minor change to this view.

10.50. From the Botley Road, approaching from either direction along the Botley Road the development would be filtered by existing buildings and street trees along the road. These views are kinetic and the building would appear and recess or disappear depending on where you stand and the existing buildings and trees in front. The composition of the view would not change and the materiality, palette and articulation break down the massing and help it sit within the views. In close proximity, the scale change between the domestic scale buildings either side would be evident. However, there would be an increased sense of space due to the set back of Building A1 from the western boundary of the site, softened by new tree planting. Whilst there would be a significant change to the street scene, it is considered that the siting of the buildings, together with the new tree and landscape planting would soften and filter views would mitigate the visual impact of the building with the street scene. The development would result in an overall moderate change to views from the Botley Road due to the high quality appearance and landscaping it is considered this would overall be a beneficial change.

10.51. Similarly, a beneficial change would occur in views along Lamarsh Road due to new tree and landscape planting would soften and filter views and mitigate the visual impact of the building with the street scene.

Impact on significance

10.52. The buildings would be seen from a number of high level, publicly accessible viewing places, sitting in the mid-ground of views out of the city, views that enable the viewer to understand the connection of the city to its landscape setting, a landscape that has informed the siting and development of Oxford from its earliest iteration as a bronze age settlement through to its present form extending out into its suburban margins.

10.53. The amendments to the design of the upper parts of the buildings including the proposed materiality of plant screens, specifically the tonality of materials, and the introduction of more vertical breaks in the appearance of the upper parts of the buildings facades would mitigate the overall level of harm that would be caused to the landscape setting of the City. However, the fundamental elements of the buildings' design, the long, horizontal profile punctuated at intervals by functional banks of flues the relatively large elements of plant screen and the repetitive rhythms of repeating windows on the buildings' facades remain. The height and horizontal extent of the buildings would still cause a substantial obstruction to the viewers ability to see a contiguous and generous "green or verdant fluffy edge" that identifies the riparian landscape of the Thames and its tributaries as they embrace the urban/suburban built form thus allows the observer to understand that

landscape and to appreciate its importance to the setting of Oxford and the various heritage assets. The upper facades of the buildings would be clearly visible in contrast to the roofscape of the lower suburban landscape that presently exists. The contrast between the existing, low suburban roofscapes and the surrounding hills, important to the observer/viewers appreciation of the stature and enveloping quality of those green (partially wooded but also open pasture and agricultural land) hillsides that has been celebrated in both paintings and literature throughout history, contributing to the cultural values of the landscape setting.

10.54. Consequently officers in making a careful but rigorous assessment of the impact of obstruction on the importance of the view of a contribution that those views make to understanding of the landscape setting and its importance to the significance of a number of heritage assets assess the level of harm that would be caused to the significance, essentially the settings of the heritage assets to which the landscape setting makes a contribution, to be a moderate level of less-than-substantial harm.

Public Benefits

10.55. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In terms of considering the planning balance of public benefits against harm to designated heritage assets, paragraph 200 states that there should be a clear and convincing justification for the harm. Paragraph 202 states that where a proposal will lead to less-than-substantial harm, that harm should be weighed against the public benefits including, where appropriate, securing the optimum viable use.

10.56. In terms of public benefits, National Planning Practice Guidance states that public benefits that flow from a development could be anything that delivers economic, social, or environmental objectives. They need to flow from the development and should be of benefit to the public at large and not just a private benefit, although benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

10.57. Officers consider that the development would result in the following public benefits:

- Provision of a net increase of 1247 FTE jobs, a moderate level of weight is afforded to this.
- Provision of high-quality research and development lab and offices contributing towards global Oxford as an attractive location for life sciences and Oxford's contribution to global problem solving. Flexible floorspace for a range of companies, a moderate level of weight is afforded to this.
- Improvement to the character and appearance of the Botley Road as a result of the high quality architecture and improved public realm and planting building on the regeneration of the Botley Road area (including the Retail Park) and its connection to the West End and Osney Mead areas of change, a moderate level of weight is afforded to this.
- Provision of public art is afforded a low level of weight.

- Provision of a new affordable commercial space, a low level of weight is afforded to this.
- Provision of a contribution towards Botley Road active travel improvements, public transport bus services and cycle parking at the Railway Station a moderate level of weight is afforded to this.
- Increased biodiversity and green infrastructure. A low level of weight is afforded to this.
- The applicant is committed to paying all employees the Oxford Living Wage during construction. a low level of weight is afforded to this on the basis this cannot be secured.
- Contribution towards wayfinding in the vicinity of the site to help connect into the City Centre wayfinding to and from the station and encourage use of quieter routes by pedestrians and cyclists and healthier lifestyle choices and sustainable travel. A low level of weight is afforded to this.

10.58. On balance it is considered that cumulatively the public benefits identified above would outweigh the moderate level of less-than-substantial harm in this case.

10.59. In accordance with Historic England's 'Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment', it is considered that clear and convincing justification for the design of the building has been provided and the less-than-substantial harm to setting of the Central Conservation Area would be outweighed by the overall level of public benefits derived from the development.

Summary

10.60. The development would result in a high quality development including high quality design, appearance and landscaping, that would enhance the appearance of the street scene and Botley Road public realm and progress the regeneration of the Botley Road Retail Park. In assessing the impact of the development, officers have attached great weight and importance to the desirability of preserving the setting of listed buildings and important protected views. Any harm caused has been clearly and convincingly justified. It is considered that the level of less-than-substantial harm that would be caused by the proposed development would be outweighed by the high level of public benefits that would result. As such the development would in accord with the NPPF and Policies DH1 and DH3 of the OLP and the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

c. Impact on neighbouring amenity

10.61. Policy RE7, as set out above, seeks to ensure a standard of amenity and make sure that development protects amenity and would not result in unacceptable impact on neighbours. The nearest neighbours are the residential property to the west No.199 Botley Road and those opposite on Botley Road.

Overbearing

- 10.62. In relation to No.199 Botley Road and adjacent neighbours to the west of the existing warehouse is approximately 8.5m away and 7m high to eaves. It is relatively close in proximity and has an overbearing impact, particularly on No.199. Proposed Building A1 would be a 17.3m to the eaves/roof and 21.m to the top of the plant screen, which would be set back approximately 5.6m from the building edge. A distance of approximately 22.2m would be achieved to the boundary of No.199. In between would be the single storey cycle building and new tree planting along the western boundary of the development and the existing cycle/footpath from Botley Road into the retail park.
- 10.63. When the height, proximity and overbearing impact of the existing building is taken into account, it is considered on balance that the new building together with the separation distance would not lead to a significant increase in overbearing effect and enclosure than currently exists. It is considered that whilst the plant level would take the building higher, the set back of 5.6m would sufficiently offset the increased height and any overbearing effect from this level. The articulation, materiality and supplemental tree planting, cycle store and separation distance would sufficiently mitigate the effect of the new building. As such it is considered that the development would not result in a significantly overbearing effect such would warrant refusal in this case.
- 10.64. In relation to other neighbouring properties the intervening distance across the Botley Road means that the development would not be unduly overbearing.

Privacy

- 10.65. The proposed west elevation of building A1 would face towards the side elevation of No.199 Botley Road and its garden, together with other gardens of the properties adjacent. Further to concerns raised by Officers and residents, this building has been designed to provide obscure fritted glazing halfway up each window together with angled external fins to direct views away from these properties. In addition, in between would be the single storey cycle building and new tree planting along the western boundary of the development with the cycle/footpath. No.199 itself also has a single storey out building along its eastern boundary with the cycle/footpath that provides screening. It should be noted that the southern portion of building A1 would not have fritted glass or angled fins as this element of the building overlooks the bottom of the gardens and the car park behind. The distance between the first of these windows and the rear of No.199 would be approximately 35m, and again there would be intervening tree planting and hedging, fencing and No.199's outbuilding within views from these windows.
- 10.66. It is considered that in view of the distance separation and intervening tree planting and hedging, fencing and outbuilding and due to the range of mitigating measures proposed including angled fins, obscure glass together, new tree planting and intervening cycle store, that there would not be a significantly adverse impact from overlooking to these properties or their gardens such that refusal

would be justified in this case. Details of the fritting and external angled fins could be secured by condition.

- 10.67. Given the separation distance across the Botley Road and public realm, it is considered that the new development would not result in overlooking or loss of privacy to properties opposite development site.

Daylight/sunlight

- 10.68. A daylight and sunlight report and addendum have been submitted with the application. The impact of sunlight, daylight and overshadowing has been assessed using standard Building Research Establishment (BRE) Guidelines. For daylight this assesses both direct daylight on an overcast day and distribution of daylight within a room. Any proportional reduction greater than 20% would result in a noticeable effect. In addition, the average daylight factor assesses the overall amount of diffuse daylight within a room accounting for external obstructions, the number of windows and their size in relation to the size of the room, the window transmittance and the reflectance of the internal walls, floor, and ceiling. Habitable rooms are considered more important than non-habitable.
- 10.69. For sunlight, to assess loss of sunlight to an existing building, BRE Guidance states that all main living rooms of dwellings and conservatories should be assessed with bedrooms and kitchens being less important therefore loss of sunlight to these rooms does not normally need to be analysed. Annual probable sunlight hours is assessed, and again any proportional reduction greater than 20% would be noticeable. BRE Guidance states that the annual probable sunlight hours (APSH) is a better way of quantifying loss of sunlight because it takes into account sunlight received over the whole year, not just on one particular date.
- 10.70. BRE guidance also advises that in circumstances where the affected building itself has obstructions or protrusions above an existing window (e.g a balcony or eaves) that may restrict light into a room, an analysis of these windows with and without the obstruction should be undertaken to see whether it is the obstruction that restricts the light rather than the proposed development itself. This assessment revealed that without the eaves, these windows meet the guidance.
- 10.71. For gardens overshadowing is considered in terms of adequate sunlight. This is taken to be at least half of a garden having at least two hours of sunlight throughout the course of the year or on 21st March (equinox). If this primary criterion is not met then the area that can receive two hours or more of sun on 21st March and any proportional reduction greater than 20% would be noticeable.
- 10.72. The submitted Assessment demonstrates that the vast majority of the properties will fully meet the BRE criteria for Daylight and Sunlight so the effects to these properties will not be noticeable to the occupants.
- 10.73. The Assessment identified that a first floor window to No. 82 would experience a reduction in sunlight and daylight based on an assumption that the window was to a habitable room. However, a site visit revealed it is a landing window and therefore a non-habitable room/space and can be discounted. In accordance with

the BRE Guidance as set out above the impact is considered not detrimental to the occupants' amenity.

- 10.74. The only other property affected would be No.192 Botley Road. A ground floor bedroom (formerly the garage) would experience a reduction in vertical sky daylight (32.93%) but would still have adequate diffuse light to the room. It would also experience a reduction in sunlight (APSH) greater than 20% (30.4%) and as such the reduction would be noticeable.
- 10.75. Above this window are PV panels which are mounted on a frame that projects out creating a canopy over the window that obstructs to the daylight and sunlight into the window and room. In accordance with the BRE Guidance an assessment was made without the obstruction in place. This demonstrated that it is the PV panels that restrict the light and sunlight to the room and not the development itself. Officers are therefore satisfied that the development itself would not cause the reduction in light in this case and on the basis that the PV panels could be removed or adjusted in future, that refusal on this basis is not justified and furthermore when taking into account the overall wider benefits derived for the scheme itself including redevelopment of brownfield land, jobs, economic growth of Oxford, improvements to public transport & infrastructure and public realm, on balance the loss is outweighed by these benefits.
- 10.76. Taking into account BRE Guidance that the impact of the reduction in sunlight on a bedroom is not normally analysed and is less important, it is considered that whilst 30% reduction would be noticeable it would not to a significant adverse degree given its use as a bedroom in this case, and in the knowledge that the PV are causing the restriction in sunlight not the development itself, as set out above.
- 10.77. The ground floor living room would experience a loss of winter sun (21.4%) but still have sufficient APSH and as such would still have sufficient sunlight in accordance with the BRE Guidance. The first floor bedroom window, would experience a small reduction in winter sunlight (24.1%) but again sufficient APSH and again taking into account this is a bedroom this is not considered significant.
- 10.78. For all other properties surrounding the development there would be no adverse impact on daylight or sunlight
- 10.79. In terms of overshadowing and loss of garden amenity, the development would not adversely impact on the neighbouring properties to the west due to orientation. The gardens would receive full sun from approximately mid-morning onwards and such would receive in excess of the minimum two hours of sunlight over 50% of the garden area set out in the BRE guidance.

Photovoltaics

- 10.80. No. 192 Botley Road also raised concern that the new development would overshadow their photovoltaics (PV) that sit directly above the ground floor windows reducing their efficiency and production of electricity.
- 10.81. The Courts have directed that mitigation of climate change is a planning consideration and that overshadowing of PV and their contribution towards the

renewable energy system and mitigation of the impact of climate change is therefore a material consideration. The Courts also held a person potentially paying increased energy costs, since he/she is producing less electricity from his/her solar panels may not be a material consideration as it is a private interest.

10.82. The occupier of No.195 has advised the PV in question are inverter technology PVs (each operate individually) and are positioned at approximately 40 degree angle. The panels face south and are positioned half way down the façade, above the ground floor window, which is set back approximately 6m back from boundary of the property. It should be noted that there are also PVs on the roof, which would not be affected.

10.83. The BRE guidance states that if as a result of a development a solar panel experiences a 10% or less reduction in annual probable sunlight hours (APSH) then there would be no significant impact. If it results in 10% or more reduction APSH then a detailed calculation of the loss of solar radiation should be undertaken. If over the whole year the ratio of total solar radiation received with the new development to the existing value is less than the values given in Table 2, below, then the loss of radiation is significant.

Table 2. Recommended minimum ratios of solar radiation received (source BRE Guidance).

Slope of solar panel in degrees to horizontal	Recommended minimum ratio of radiation received after/before
0° – 30°	0.90
30.01° – 59.99°	0.85
60° – 90°	0.80

10.84. The guidance also points out that the type of PV system, siting, angle, height and distance from the boundary make a difference.

10.85. The applicant has undertaken an initial assessment of the 11 PV panels which demonstrates that each PV panel would experience less than 10% reduction in annual probable sunlight, ranging from zero to 7.4% change. A more detailed analysis is therefore not necessary in this case and the proposed development would not cause significant reduction in the functioning of the PV.

10.86. Notwithstanding this, the reduction would reduce the ability of the PV to mitigate the impact of climate change through the production of renewable electricity. The proposed development would include a large amount of PV panels across the roof and would generate a greater amount of renewable electricity as a result, and therefore have a greater mitigating impact on climate change. On balance, therefore, it is considered that the relatively small reduction in renewable energy lost from the PV at No.192 would be greatly outweighed by the proposed development and its associated greater impact on climate change in this case.

10.87. No.190 has also raised the issue of overshadowing of their PV. In this case the PV are at high level on the main roof of the house on the south (front) and east (side) facing pitches. The roof mounted PV at No.192 would not be affected, and

therefore given the height at which they are placed on the main roof of No.190 and the distance to the proposed development and it is considered that the panels are also unlikely to experience any detrimental loss of sunlight to the detriment of their ability to generate electricity. However, if there were to be any reduction it is considered that the amount of renewable energy generated by the new development would outweigh any loss incurred, as set out above. As such there would be no detrimental impact on residential amenity of this property in this case.

Light spill

10.88. Light spill from internal lighting would be minimised through the proposed use of automatic on/off lighting and a condition requiring details of external lighting could ensure lighting spill and hours of illumination are such that neighbours amenity would not be adversely affected.

10.89. Any impact on neighbours' amenity from construction could be mitigated through the construction traffic management plan, including hours and noise, secured by condition.

Summary

10.90. In summary the development would not significantly impact on amenity such that it would warrant refusal in this case and subject to conditions, it accords with policies H14 and RE7 of the OLP.

d. Transport

Transport sustainability

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

10.92. Policy M3 sets out the Council's policy for motor vehicle parking. In the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking as existing on site and a reduction will be sought where there is good accessibility to a range of facilities. For all non-residential development parking will be determined in the light of the submitted Transport Assessment or Travel Plan, which must take into account the objectives of this Plan to promote and achieve a shift towards sustainable modes of travel. The presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development.

10.93. Policy M5 and Appendix 7 sets out minimum cycle parking standards and for R&D uses this would be 1 space per 5 staff. Policy DH7 of the OLP sets out design

requirements for bike & bin stores and external servicing features. These should be considered from the start of the design process.

- 10.94. The site is considered to be in a highly sustainable location with good access to public transport in and out of the City and within approximately 20 minutes walking distance of the railway station and 5 minutes to Seacourt Park and Ride.
- 10.95. A Transport Assessment (TA) has been submitted with the application. The proposed floorspace within the development is flexible to enable it to adapt to demand, but for the purposes of the TA it is assumed to be split 60% Lab 40% Office generating up to 1,282 FTE employees. Assuming an 80% daily occupancy, which takes into account home workers, annual leave and sickness, the number of employees on-site is estimated to be up to 1,026 per day.
- 10.96. There would be a significant reduction in traffic to and from the development site. The existing use could generate 38 AM peak hour two-way vehicle movements and 120 PM peak hour two-way movements and 1,442 daily two-way vehicle movements.
- 10.97. The development would be almost car free except for 2 disabled and operational vehicular parking spaces. The development could generate 411 two-way person trips in the morning peak hour and 373 two-way person trips in the evening peak hour, across the day there would be 2,902 daily two-way person trips. The TA therefore promotes an ambitious modal shift to using non-vehicular sustainable travel.
- 10.98. The County HA generally supports the methodology and approach set out in the TA. However, it has adjusted the forecast data in relation to car modal share as the proposed figure of 13% car driver share is unrealistic due to the multi-modal journeys involved and 20% more realistic. The modal share is still very ambitious even considering the location near the Park & Ride and rail station. The HA comments are based on their adjusted predicted assumptions. An additional 500 two-way daily bus trips would be likely and whilst vehicle trips to the site would be significantly reduced, there would be an additional 167 vehicle trips to the local area in the AM peak hour and an additional 85 vehicle trips in the PM peak hour. The HA consider a potential increase in employees parking at Seacourt Park & Ride of 15% best case scenario (205 vehicles) and 30% of total spaces (418 vehicles) in a worst case scenario.
- 10.99. The Oxford Bus Company submitted a letter supporting the development, see section 9 above.

Access and Traffic Generation

- 10.100. The application proposes to relocate the existing access on Lamarsh Road southwards by 15 metres. which is acceptable in principle. Whilst the current visibility from the site access is adequate, further details of visibility are required and can be secured by condition.

- 10.101. The development would be largely car free except for 2 spaces for disabled parking/ operational needs. There would therefore be a large number of person (pedestrian and cyclist) movements as a result.
- 10.102. The HA has therefore advised that a Toucan crossing is required to mitigate the impact of the large number of additional person trips on Botley Road, delivered by the applicant as a S278 Agreement and secured via the legal agreement. The Oxford Bus Company also suggested this crossing is needed. The Applicant has agreed to this.
- 10.103. There is an existing network of cycle routes in the vicinity of the site and further improvements are planned as part of the Botley Road Improvement Scheme. This scheme proposes additional bus lanes and segregated cycle routes on both sides of the road with priority across junctions. The section from the A34 to west of Lamarsh Road has been constructed, the sections from Cumnor Hill to the A34 and from Lamarsh Road to Oxford Railway Station are yet to be delivered. This scheme will significantly increase the attractiveness of cycling to and from the application site. As the applicant proposes this to be almost totally car-free development and suggests an ambitious modal split with the majority of employees travelling to the site via sustainable modes, it is considered that a contribution of £401,066 towards the Botley Road Improvement scheme is required and secured via the legal agreement. The Applicant has agreed to this.
- 10.104. With the increased number of person trips in the local area, efficient navigation is important. There is an identified need for wayfinding to connect into the City Centre Wayfinding Strategy and promote and also encourage pedestrian and cycling via quieter routes in and around this part of the Botley Road and the Retail Park and into the City centre. A contribution of £21,763.31 towards wayfinding hardware including totem and signposts in the vicinity of the site has been requested therefore by the City Council, secured via the legal agreement. The Applicant has agreed to this.
- 10.105. The adopted Oxford Local Cycling and Walking Infrastructure Plan (LCWIP) includes OXR24 West Oxford Path, which extends from Swan Street in the east via Oatlands Road Recreation Grounds, Lamarsh Road, the application site car park, Seacourt Nature Park, Mins Industrial Estate, North Hinksey Lane to Botley Road. The access road through the application site forms part of this proposed OXR24 West Oxford Path and will therefore be used by cyclists. In order to protect cyclists using the OXR24 route across the site, further details are required and could be secured by condition showing how vehicles would be prevented from using the cycleways.
- 10.106. Access to the site via Public Transport is good. The nearest bus stops to the site are located on Botley Road, approximately 100m east of the site. In addition, the 'Seacourt Park & Ride' bus stops are situated circa 200m west of the site. These stops are used by a number of services to the City Centre, Abingdon, Swindon, Eynsham, Wantage and Wheatley.
- 10.107. The frequency of bus services to the city centre is very good, and services to Swindon, Wantage and Eynsham run at a frequency of 3 buses per hour. However, the 44 service to Wootton and Abingdon is hourly only and

therefore not attractive as an alternative to the car for future employees. In addition, there is a lack of routes to areas north of Oxford. The County HA has therefore identified that improvements to the S7 and 44 bus routes could significantly improve the connectivity of the local area in the vicinity and requested a contribution of £602,827 towards bus service improvements, secured via the legal agreement. The Applicant has agreed to this.

10.108. In relation to other issues raised by the Oxford Bus Company around deletion of the existing protected right turn to Lamarsh Road, allowing the eastbound bus lane to continue seamlessly through the junction and upgrade to the substandard westbound bus stop, the HA advise these are best included within the Botley Road Improvements scheme to enable consideration in the round with other elements and avoid piecemeal works.

10.109. Turning to access by rail, Oxford Rail Station is located approximately 1.3km east of the site. The County HA has recently drafted an Oxford Station Interim Improvement Plan with Great Western Railway to allow the station to cope with the increasing passenger demand and improve customer experience.

10.110. As the proposed development would result in an additional 200 to 250 two-way trips using the railway station mainly at peak times, a financial contribution £56,371 of towards Oxford Station Interim Improvement Plan is required to improve cycle parking provision and provide two Western Forecourt Real Time Information (RTI) Screens, secured via the legal agreement. The Applicant has agreed to this.

10.111. With regards to the potential impact on Seacourt Park & Ride, of the 1389 spaces the current 5 day average occupancy is 626 vehicles (45% occupancy rate). Pre-covid data indicate this was 59% occupancy rate. Whilst this development should be considered on its own merits the HA has considered the cumulative impact on Seacourt Park & Ride from the other planning applications for developments nearby that are under consideration (24/02372/FUL and 24/02361/FUL). The expected cumulative impact is between 59% of all spaces in a worst case scenario (820 vehicles) and 29% of all spaces (400 vehicles) in a best case scenario. As the current percentage spare capacity ranges between 41% and 55%, the three developments combined could fill up the entire spare capacity at the Park & Ride leaving potentially no space for an increase in use by people travelling into Oxford.

10.112. In order to mitigate against this worst-case scenario, the HA consider that robust Travel Plans for both R&D and Commercial elements that promote sustainable travel that are monitored are required. A Travel Plan monitoring fee of £3,265 is required and secured by the legal agreement. It is also considered that Travel Plans along with the suite of other measures and contributions proposed including improvements to bus services, cycle parking at the railway station should also mitigate the impact on Seacourt and traffic in the wider area.

10.113. Impact from construction traffic could be mitigated through the implementation of a Construction Traffic Management Plan. An outline Construction Traffic Management Plan has been submitted but needs updating to provide all the required information. This could be secured by condition.

Car parking

- 10.114. Currently there are 242 car parking spaces on site. 11 spaces would be re-provided on blue land within the application 24/02372/FUL. The 10 car parking spaces located in front of Jewsons are retained and for their use and that these sit outside the application site boundary.
- 10.115. The Development would provide 2 operational spaces for disabled users and/ or operational purposes on site. The proposal would result in a net reduction of 229 spaces overall. Policy M3 does not provide a car parking standard for R&D and each site is considered on its merits and on the basis of the TA. These spaces would be allocated, monitored and managed to ensure that they are used for their intended purpose and a draft Car Park Management Plan has been submitted.
- 10.116. The significant reduction in car parking is welcomed in this highly sustainable location. A finalised Car Park Management Plan could be secured by condition to ensure disabled and other users are able to secure parking there when necessary.
- 10.117. All car parking spaces would be provided with EV charging infrastructure and thus accords with Policy M4 of the OLP.

Cycle parking

- 10.118. A total of 252 cycle parking spaces would be provided. 162 cycles accommodated within a purpose built external cycle storage building located at the north-west of the site, accessed from Botley Road, and the remaining in various locations within the site in the form of Sheffield stands. Based on an 80% daily occupancy capacity, the number of spaces exceeds the minimum bicycle parking standards for other uses is 1 space per 5 staff (205 spaces).
- 10.119. Further details of the cycle stands and provision for electric and larger bikes/scooters is needed and can be secured by condition. As such it accords with Policy M5 of the OLP.

Delivery and Servicing

- 10.120. A draft Servicing and Delivery Management Plan has been submitted and the delivery and servicing arrangements are considered acceptable in principle. A full Servicing and Delivery Management Plan is required and could be secured by condition to ensure appropriate restriction delivery times and management of deliveries.

Summary

- 10.121. In summary, subject to conditions and the financial contributions, it is considered that the development accords with policies M1 to M5 of the OLP.

e. Flood Risk and Drainage

- 10.122. Policy RE3 relates to flood risk management and states planning applications for development on sites larger than 1 ha in Flood Zone 1 must be

accompanied by a site specific Flood Risk Assessment (FRA) to align with national policy.

- 10.123. Policy RE4 relates to sustainable and foul drainage, surface and groundwater flow, and 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 run off should be managed as close to its source as possible, in line with the stated drainage hierarchy.

Flood Risk

- 10.124. A Flood Risk Assessment and Sequential Test Approach Note have been submitted. The majority of the site lies within Flood Zone (FZ) 1 due to elevated topography, though there are small areas of FZs 2, 3a and 3b to the perimeter of the site, and the periphery of the site being a combination of FZs 2, 3a and 3b. Flood risk from surface water, ground water, sewers and artificial water bodies is deemed to be low for this site. Where modifications to site levels with FZs 2 and 3 are required, these have been accessed and compensated for on a level-for-level and volume-for-volume basis. Overall, the flood compensation analysis results in a net gain in floodplain volumes and the redevelopment would not increase flood risk to the site or surrounding area.
- 10.125. The EA has raised no objection subject to conditions requiring implementation in accordance with the FRA and mitigation measures therein.
- 10.126. The latest updated Strategic Flood Risk Assessment (SFRA) for Oxford City was done for the recently withdrawn OLP 2040 and represents the most up to date modelling. Whilst the OLP2040 has been withdrawn, the evidence base suggests the whole retail park has been subject to and passed the sequential test at the plan making stage and considered within a Level 2 Strategic Flood Risk Assessment. As such there are no other sequentially preferable sites of lower flood risk that could accommodate the development, taking into account wider needs of the Local Plan, including housing need. The evidence base concludes that acceptable vulnerability classifications for the site is water compatible infrastructure or “less vulnerable” uses.
- 10.127. The vulnerability classification of the proposed development is “less vulnerable”, in accordance with the NPPF Annex 3.
- 10.128. As such it is considered that the development meets the Sequential Test and in accordance with the NPPF, the 'less vulnerable' use (as existing) proposed is acceptable and therefore an Exception Test is not required for the development.
- 10.129. Whilst the new buildings themselves are in FZ1 and not liable to flood, a condition securing the Flood Evacuation Plan should be imposed to ensure safe evacuation in times of flood given the site is surrounded by FZ3.

Drainage

- 10.130. A revised Drainage Strategy Report and addendum report and Foul Sewer Assessment have been submitted with the application. Further to the

additional information and plans being submitted the Lead Local Flood Authority (LLFA) has raised no objection subject to conditions securing the drainage strategy and a record of implementation.

10.131. The building would connect into existing sewer and water infrastructure and Thames Water has identified an inability to provide capacity and therefore request conditions be imposed securing either upgrades or an infrastructure phasing plan. They also identified inability if the sewage treatment works infrastructure to accommodate the development and again request a condition be imposed securing either upgrades or an infrastructure phasing plan. In respect of surface water, they raised no objection.

10.132. The Drainage Strategy shows that a variety of SuDS methods have been considered and are shown on the drainage strategy drawing, including blue roofs, blue-green "living" roofs, pervious paving in parking areas, Permacannel, rain gardens, and below ground attenuation tanks. This is considered acceptable and can be secured by condition requiring compliance with the submitted Drainage Strategy and record of implementation. Subject to conditions the development accords with Policy RE1 of the OLP.

f. Landscape and Trees

10.133. Policy G7 of the Local Plan seeks the protection of existing Green Infrastructure features and states planning permission will not be granted for development that results in the loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant public amenity or ecological interest. It must be demonstrated that their retention is not feasible and that their loss will be mitigated.

10.134. The policy goes on to state that planning permission will not be granted for development resulting in the loss of other trees, except in the following circumstances, that it can be demonstrated that the retention of the trees is not feasible; and where tree retention is not feasible, any loss of tree canopy cover should be mitigated by the planting of new trees or introduction of additional canopy cover, and where loss of trees cannot be mitigated by tree planting on site then it should be demonstrated that alternative proposals for new green infrastructure will mitigate the loss of trees, such as green roofs or walls.

10.135. Policy G8 states development proposals affecting existing Green Infrastructure features should demonstrate how these have been incorporated within the design of the new development where appropriate. This applies to protected and unprotected Green Infrastructure features such as hedgerow, trees and small public green spaces.

10.136. An Arboricultural Development Statement including a Tree Canopy Cover Assessment, a Landscape and Public Realm Report and proposed landscape plans have been submitted. The site has also been considered and designed in conjunction with the adjacent application (24/02372/FUL) to form a masterplan for re-development of both sites.

- 10.137. The site is mostly laid to hard standing and buildings. There are ten trees growing within the car parking area are small and have been planted as part of the landscaping for the existing development. One tree sits right on the site boundary to Botley Road and five along the Lamarsh Road boundary. The trees are relatively young and small. There are other existing trees growing along Botley Road outside the site boundary within the highway verge under the ownership of the County Council. These trees provide interest and public amenity and help screen and soften existing buildings.
- 10.138. It is proposed to remove 15 trees in total, 2 for arboricultural reasons and 12 to enable the development. All trees along Botley Road within the highway will be retained. The one on the site boundary would be removed.
- 10.139. It is proposed to plant 48 new trees as part of the hard and soft landscape proposals. The landscape scheme design approach of creating tree planting space both along Botley Road and Lamarsh Road boundaries would soften the built form of the proposed development and would improve the street scene and amenity in the area. The integration of sustainable drainage systems, in particular rain gardens, with the landscaping and planting areas is positive. This will reduce the water consumption for irrigation on site and will improve the growing medium of the proposed planting. An internal courtyard garden area for occupiers and public use would be created. Incidental children's play is proposed along Lamarsh Road. Public art and wayfinding would also integrated into the landscape scheme.
- 10.140. The Tree Canopy Cover assessment demonstrates a 5.5% or 605sqm increase in canopy cover over the 'no development' one over 30 years. Due to the young age and small size of the trees, the proposed removals do not affect the areas' wider amenity and could readily be replaced and mitigated and improved through the replacement planting and a qualitative landscaping scheme proposed.
- 10.141. Overall the proposed landscape scheme would enhance the visual appearance of the development and Botley Road and improve public amenity and is supported. However further consideration should be given to tree and shrub species selection for the Courtyard planting and light as it has a zone under partial shade most of the time; two *Prunus avium* 'Plena' trees are provisioned within the Courtyard, but this is a tree that prefers full sun. Once underground services details have been finalised, any overlap with proposed tree planting should be reconsidered to avoid future conflict between tree roots and underground services, and root barriers should be provisioned.
- 10.142. As such details of a updated Arboricultural Method Statement and Tree Protection measures taking into account finalised underground service location proposals and drainage details should be secured by condition. Together with a finalised landscape plan, including planting schedule (planting stock species, numbers or densities, size at planting), tree pit details (including support system and soil volume availability), a landscape management plan and Arboricultural Monitoring programme.
- 10.143. Subject to conditions the development accords with Policies DH1, G2, G7 and G8 of the OLP.

g. Biodiversity

- 10.144. OLP policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset the loss and achieve an overall net gain of 5% for biodiversity and for major development this should be demonstrated in a biodiversity calculator. Policy G8 requires new development that affects green infrastructure to demonstrate how these have been incorporated within the design, including health and wellbeing and biodiversity enhancement. The relevant provisions of the Environment Act 2021, as implemented by Schedule 7A of the Town and Country Planning Act 1990, requiring a minimum of 10% biodiversity net gain (BNG) on minor developments applies to all development submitted after 1st April 2024. This supersedes the 5% BNG required under G2 of the OLP.
- 10.145. 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. The presence of a protected species that may be affected by the development is a material consideration for the LPA in its determination of a planning application (paras' 98, 99 ODPM and Defra Circular 06/2005: Biodiversity and geological conservation). The LPA has a duty as a competent authority, in the exercise of its functions, to secure compliance with the Habitats Directive (Regulation 9(1) The Conservation of Habitats and Species Regulations 2017 '2017 Regulations'). The Habitats Directive is construed from 31 December 2020 to transfer responsibilities to UK authorities to enable it to function as retained EU law. This applies to European sites (SACs and SPAs) and European Protected Species, both in and out of European sites.
- 10.146. The 2017 Regulations provide a licensing regime to deal with derogations. It is a criminal offence to do the following without the benefit of a licence from Natural England:
1. Deliberate capture or killing or injuring of an EPS
 2. Deliberate taking or destroying of EPS eggs
 3. 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.
 4. Damage or destruction of an EPS breeding site or resting place.
- 10.147. A Preliminary Ecological Appraisal (PEA) and a Biodiversity Net Gain Report have been submitted in support of the application. The site comprises buildings, hardstanding, trees, grassland and shrubs. The proposal requires the demolition of existing buildings. The trees on-site are considered to provide suitable habitat for nesting birds. None of the buildings on-site were identified to

provide bat roost potential, the existing building was assessed to be of negligible suitability for roosting bats and no further surveys were recommended.

- 10.148. Officers are satisfied that a robust assessment has been undertaken and the potential presence of protected habitats and species has been given due regard and no habitats of substantive value would be impacted. Conditions should be imposed to protect nesting birds and further surveys undertaken should the development not commence prior to December 2025 and to secure the ecological enhancement measures set out in the PEA.
- 10.149. The proposed development would result in a reduction in the number of car parking spaces within the application site compared to the baseline and on this basis Officers are satisfied there is no prospect of effects on the Oxford Meadows SAC arising from road traffic emissions, or any other pathways, and therefore that a Habitats Regulations Assessment is not required in this case.
- 10.150. A biodiversity metric completed in support of the planning application indicates the proposed development would achieve a 176% net gain on site as a result of the planting of trees, shrubs and native hedgerow, green roof and rain garden. A biodiversity gain report plan will need to be submitted pre-commencement to satisfy the biodiversity net gain requirement under the Environment Act and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. A condition requiring a Landscape and Ecological Management Plan (LEMP) is required to ensure effective long-term management. A £2,817 financial contribution towards Biodiversity Gain monitoring is required, secured via the S106 and has been agreed by the Applicant.
- 10.151. Officers are satisfied that the potential presence of protected habitats and species has been given due regard, a net gain in biodiversity would be achieved and subject to conditions, the development would accord with G2 and G8 of the OLP and the Environment Act. Due regard has been given to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

h. Land quality

- 10.152. The Council as a statutory duty to take into account, as a material consideration, the actual or possible presence of contamination on land. As a minimum, following development, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990. Policy RE9 requires a land quality assessment report here proposals would be affected by contamination or where contamination may present a risk to the surrounding environment. The report should assess the nature and extent of contamination and the possible impacts it may have on the development and its future users, biodiversity, the natural and built environment; and set mitigation measures to allow the development to go ahead safely and without adverse effect.
- 10.153. A Phase 2 Contamination report was submitted with the application. The site investigation results indicate that there are no potentially significant contamination risks identified at the locations tested at the site, for the proposed commercial and industrial end-use. However it is noted that former uses of the site

include use as a coach depot and as such there is the potential for as yet undiscovered underground fuel tanks to be present on the site. A condition securing a 'watching brief' for unexpected contamination during site development work is required therefore.

10.154. Although there is minimal landscaping proposed as part of the finished design, there are planted areas proposed and these areas will need to receive appropriately pre-tested clean soils for growing purposes. In addition, it is likely that barrier potable water supply pipework will be required at the site due to the moderate ground contamination levels identified. Evidence of this would be required prior to occupation and could be secured by condition.

10.155. Subject to the conditions is it considered that the development would accord with Policy RE9 and the NPPF.

i. Air Quality

10.156. Policy RE6 of the OLP has regard to air quality and states planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to air quality is minimised or reduced. 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 NO₂ air quality objective (AQO). Policy M4 (Provision of Electric charge points) of the OLP 2036 requires a minimum of 25% of parking spaces to be provided with charging points on non-residential developments, and adequate ducting should be provided to all spaces to enable additional charging points in the future as demand requires. Site is located within the Oxford city-wide Air Quality Management Area (AQMA).

10.157. The application has been submitted with an Air Quality Assessment (AQA). Current air quality levels at the site are well below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations. The location of the site is therefore considered suitable for its intended use without mitigation;

10.158. Due to the energy strategy for the proposed development being an all-electric approach, with PVs and Air Source Heat Pumps, there would be no emissions from energy systems during the operational phase of the development.

10.159. The two laboratories built for the purpose of R&D are expected to have fume cupboards. It is recommended that all fume cupboards to be installed as part of the Proposed Development are designed in line with British Standards BS EN1417524. This states that the discharge velocity from fume cupboard extracts should be at least 7 m/s but that a figure of 10 m/s is preferable to ensure the discharge will not be trapped in the aerodynamic wake of the stack. This can be secured by condition.

10.160. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed together with the cumulative impact from application 24/02372/FUL for Units 2-5. This has identified that the site is found to be at medium risk. The risk of dust causing a loss of local amenity and increased exposure to PM₁₀ concentrations has been used

to identify appropriate dust mitigation measures. Provided these measures are implemented and included within a dust management plan, the residual impacts are considered to be not significant. This can be secured by condition.

- 10.161. Due to the reduction in car parking and subsequent reduction in traffic movements the impacts on air quality from operational phase movements can be considered to have insignificant effects in accordance with the EPUK and IAQM planning guidance.
- 10.162. Policy M4 (Provision of Electric charge points) of the OLP 2036 requires at least 25% of parking spaces to be provided with charging points on non-residential developments (with a minimum of 2), and adequate ducting should be provided to all spaces to enable additional charging points in the future as demand requires. This would be provided and secure by condition.
- 10.163. As such it is considered that the development would accord with the NPPF, RE6 and M4 of the OLP, subject to conditions.

j. Archaeology

- 10.164. Policy DH4 states that within the City Centre Archaeological Area, on allocated sites where identified, or elsewhere where archaeological deposits and features are suspected to be present (including upstanding remains), applications should include sufficient information to define the character, significance and extent of such deposits so far as reasonably practical within a Heritage Assessment and, if applicable, a full archaeological desk-based assessment and the results of evaluation by fieldwork.
- 10.165. Development proposals that affect archaeological features and deposits will be supported where they are designed to enhance or to better reveal the significance of the asset and will help secure a sustainable future for it. Proposals which would or may affect archaeological remains or features which are designated as heritage assets will be considered against the policy approach in policy DH3.
- 10.166. Archaeological remains or features which are equivalent in terms of their significance to a scheduled monument are given the same policy protection as designated heritage assets and considered against policy DH3. 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, having regard to the significance of the remains or feature and the extent of harm. Where harm to an archaeological asset has been convincingly justified and is unavoidable, mitigation should be agreed with Oxford City Council and should be proportionate to the significance of the asset and impact.
- 10.167. An archaeology desk based assessment and phase 2 geotechnical and geoenvironmental study have been submitted with the application.
- 10.168. The submitted geotechnical study suggests extensive modern made ground at this site as well as the archaeological desk based assessment. Having

consulted the Historic Environment Record, it is considered that based on current evidence this application is unlikely to have significant archaeological implications. As such the development would accord with Policy DH4 of the OLP and the NPPF.

k. Sustainable Design and Construction

10.169. Policy RE1 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles have been incorporated. In respect of carbon emissions the policy requires for major developments at least a 40% reduction carbon emissions from a 2022 Building Regulations compliant base case. This reduction could be secured through on-site renewable energy and other low carbon technologies and/ or energy efficiency measures. Policy RE7 seeks to manage the impact of development.

10.170. An updated Energy Strategy and Sustainability Statement has been submitted with the application. It set out a building fabric first approach to construction with Air Source Heat Pumps (ASHP) providing heating and cooling, heat pumps providing hot water and Photovoltaics (PV). The development is targeting BREEAM Excellent with an aspiration for Outstanding.

10.171. Whilst not a current local plan policy requirement the development circular economy principles have been considered throughout the design process and future proofing the buildings in terms of flexibility of use, reusing and recycling materials during construction and operation to minimise waste generation and use of virgin materials. Low embodied upfront carbon target of measures have been included to use less materials, including avoiding overspecification of vibrational performance, maximising cement replacement within the substructure, the potential to reuse truss and portal steel frame for PV deck and comparing façade options.

10.172. During the construction phase, it is proposed that the contractor is required to implement rigorous pollution prevention and management policies to ensure existing site conditions are upheld and any potential for air, water, and noise pollution minimised. This could be secured by condition.

10.173. The information demonstrates a 40.3% and 40.9% carbon reduction over Building Regs Part L baseline for building A1 and A2 respectively. Subject to a condition securing the sustainable design and construction and further details of the PV, the development would accord with policies RE1 and RE7 of the OLP.

l. Noise

10.174. Policy RE8 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. Developments that generate unacceptable noise and vibration impacts will be refused.

10.175. An acoustic assessment has been submitted to support the application. It is recognised by the applicant that noise emissions from the proposed plant equipment should be controlled to protect the amenity of nearby existing noise-sensitive receptors.

10.176. The report establishes the existing ambient noise levels at the nearest noise sensitive receivers (NSR). calculates the likely 'Rating Level' of the proposed new mechanical plant installation and determines the likely noise impact resulting from the operation of the new plant.

10.177. All plant noise level criteria have been adequately predicted at suitably identified receptors taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by any building. On the basis of the proposed plant indicated in the assessment, Officers are satisfied that the scheme would be acceptable in environmental health terms. To ensure this, conditions should be imposed requiring details of the finalised plant and mitigation measures, restriction on noise emitted and anti-vibration mountings.

10.178. It is considered therefore subject to conditions the development would be acceptable in environmental health terms and not adversely affect neighbouring amenity in accordance with policies RE7 and RE8 of the OLP.

m. Utilities

10.179. Policy V8 seeks to ensure there is sufficient existing utilities capacity to support the development and that the capacity will be delivered to meet the needs of the development. The siting and appearance of utilities infrastructure should be designed to minimise impacts on amenity and to be as unobtrusive as possible.

10.180. A Utilities Statement has been submitted with the application. The development would connect into existing utilities infrastructure. Connection to Thames Water utilities is dealt with above and sufficient capacity would be ensured via conditions. In relation to electricity the development would re-locate the existing substation on site. SSE has confirmed it can supply the required capacity as part of its current planned network reinforcements, which have begun. No gas is proposed and existing telecommunications network with sufficient existing capacity. Officers are satisfied the development would accord with Policy V8 of the OLP.

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 development would make best and most efficient use of the site and provide a high quality and sustainable development on brownfield land to which substantial weight is given. The principle of the use on this site in this location is acceptable. It would provide increased employment and meet the demand for high quality laboratories for life sciences and contribute towards Oxford's post-pandemic growth and global reputation. The development would positively enhance the character and appearance of the area through contemporary design and new public landscaped area to the front with Botley Road. Whilst visible in long distance views and result in a moderate level of less-than-substantial harm to the

setting of the Central Conservation Area, this would be outweighed by the public benefits derived from the development.

- 11.3. The proposed use is acceptable within the Flood Zone and the development would have acceptable drainage scheme, including sustainable drainage measures, and not have an adverse impact on the functional flood plain or result in increased flood risk.
- 11.4. There would be a significant beneficial reduction in car parking, adequate cycle parking and no adverse impact on the highway. A contribution towards active travel improvements, public transport, Railway station improvements and wayfinding would be secured.
- 11.5. On balance, there would not be an adverse impact on neighbouring residential amenity from overlooking, overbearing, loss of daylight or sunlight, noise or light spill due to the proposed design, appearance and distance from properties and additional mitigation measures proposed and secured by conditions.
- 11.6. The NPPF has a presumption in favour of sustainable development. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted. Policy S1 of the OLP 2036 repeats this.
- 11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF and policy S1 for the reasons set out within the report. Therefore in such circumstances, planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.
- 11.8. Officers would advise members that having considered the application carefully including all representations made with respect to the application, that the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2016-2036, when considered as a whole, and that there are no material considerations that would outweigh these policies.
- 11.9. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Director of Planning & Regulation) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

12. CONDITIONS

Time

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.

Plans

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy SR1 of the Oxford Local Plan 2036.

Materials

3. Prior to the commencement of development, excluding demolition and enabling works, a schedule of materials together with samples shall be submitted to and approved in writing by the Local Planning Authority. The following sample panels shall be provided on site:
 - i. Large scale sample panels of all new brickwork and stonework demonstrating the colour, texture, face bond, mortar and pointing for the new development shall be erected on site.
 - ii. Large scale sample panels of all new ceramic cladding, metal claddings and screens, flues and roof materials demonstrating the colour, texture, reflectivity shall be erected on site.

The development shall be completed in accordance with the approved materials schedule and sample panels unless otherwise first agreed in writing with the Local Planning Authority. Where feasible the sample panels shall remain on site for the duration of the development works.

Reason: To ensure high quality development and in the interests of the visual appearance in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036.

Trees

4. No development, including demolition or enabling works, shall take place until a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), produced in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction – Recommendations", has been submitted to, and approved in writing by, the Local Planning Authority. The TPP&AMS shall include such details as are appropriate to the circumstances, for the protection during development of retained tree, and any areas of ground identified for new tree planting (the areas to be equal to the calculated Root Protection Area of proposed trees at their eventual state of maturity (i.e. 25 years). The TPP&AMS shall detail any physical protective measures such as barrier fencing and/or ground protection materials, and any access pruning or other tree surgery

proposals. Methods of any workings or other forms of ingress into the Root Protection Areas (RPAs) or Construction Exclusion Zones (CEZs) of retained trees shall be set out and described. 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 TPP&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 2036.

5. Development, including demolition and enabling works, shall not begin until details of an Arboricultural Monitoring Programme (AMP) have been submitted to and approved in writing by the Local Planning Authority. The AMP shall include a schedule of a monitoring and reporting programme of all on-site supervision and checks of compliance with the details of the Tree Protection Plan and/or Arboricultural Method Statement, as approved by the Local Planning Authority. The AMP shall include details of an appropriate Arboricultural Clerk of Works (ACoW) who shall conduct such monitoring and supervision, and a written and photographic record shall be submitted to the LPA at scheduled intervals in accordance with the approved AMP.

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

6. Notwithstanding the submitted plans and information, a landscape plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved. The plan shall show details of treatment of paved areas, details of all seating and incidental children's play features/areas across the site 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. The plan shall be implemented prior to first occupation in accordance with the approved details.

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

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

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

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

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

9. 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.

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

Biodiversity

10. If the development hereby approved does not commence by December 2025, further ecological survey(s) shall be commissioned to establish if there have been any changes in the presence of roosting bats and identify any likely new ecological impacts that might arise from any changes. The results of the survey(s) shall be submitted to the local planning authority.

Where the survey results indicate that changes have occurred that will result in impacts not previously addressed in the approved scheme, a mitigation and compensation scheme will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the approved scheme, under licence from Natural England.

Reason: To ensure bats are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

11. Prior to occupation of the development, details of ecological enhancement measures including at least one bat roosting device and one 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 policies S1 and G2 of the Oxford Local Plan 2036 and the National Planning Policy Framework.

- 12.No removal of trees, hedges, shrubs, buildings or structures shall take place between 1st March and 31st August inclusive unless a survey to assess the nesting bird activity on the site during this period and a scheme to protect the nesting birds has first been submitted to and approved in writing by the Local Planning Authority. No trees, hedges, shrubs, buildings or structures shall be removed between 1st March and 31st August inclusive other than in accordance with the approved bird nesting protection scheme.

Reason: To avoid an adverse impact on nesting birds in accordance with policies S1 and G2 of the Oxford Local Plan 2036.

- 13.A landscape and ecological management plan (LEMP) (Also referred to as a Habitat or Biodiversity Management Plan) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- i. Description and evaluation of features to be managed.
- ii. Ecological trends and constraints on site that might influence management.
- iii. Aims and objectives of management.
- iv. Appropriate management options for achieving aims and objectives.
- v. Prescriptions for management actions.
- vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period).
- vii. Details of the body or organization responsible for implementation of the plan.
- viii. 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: To ensure the long term management of biodiversity net gain on the site in accordance with Policy G2 of the Oxford Local Plan 2036.

14. 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: Risk assessment of potentially damaging construction activities;

- a. Identification of “biodiversity protection zones” in respect of protected and notable species and habitats;
- b. 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;
- c. The location and timing of sensitive works to avoid harm to biodiversity features;
- d. Contingency/emergence measures for accidents and unexpected events, along with remedial measures;
- e. Responsible persons and lines of communication;
- f. 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
- g. 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.

15. The development shall not be occupied until any approved remedial works, including soil quality data for landscaped areas and appropriate potable pipework installation, have been carried out and a 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 2036.

16. Throughout the course of the development, a watching brief for the identification of unexpected contamination shall be undertaken by a suitably competent person. Details of the watching brief must be submitted to and approved by the local planning authority prior to commencement of the development. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

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

Noise

17. Notwithstanding the submitted Noise Assessment, details of the finalised plant, mechanical extract and ventilation equipment and mitigation measures shall be submitted to and approved in writing prior to installation. The approved details and mitigation measures shall be implemented.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration or other emissions from the building site in accordance with RE8 of the Oxford Local Plan 2036.

18. The external noise levels emitted from plant/ machinery/ equipment shall ensure that the rating level of the noise emitted from the proposed installation 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."

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration or other emissions from the development in accordance with RE8 of the Oxford Local Plan 2036.

19. All plant and ducting installed at the development or any replacement shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration or other emissions from the building site in accordance with RE8 of the Oxford Local Plan 2036.

Air Quality

20. No development shall take place until the complete list of site-specific dust mitigation measures and recommendations that are identified on Appendix 3 (pages 35-37) 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.

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.

21. Prior to the commencement of development, excluding enabling works, evidence shall be submitted to, and approved in writing by the Local Planning Authority to 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, and located close to areas of high ventilation, in order to minimise the impact of exposure to VOCs. 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.

22. 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:

- Location of EV charging points;

- The amount of electric car charging points should cover at least 25% of the amount of permitted parking of the commercial 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 in operation and shall remain in place thereafter.

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

Sustainable Design and Construction

23. The development shall be implemented in strict accordance with the approved Energy Strategy REP-2325164-MC-05-20240920-Energy Strategy Units 1&1A - REV01 – dated 20 September 2024 unless otherwise first agreed in writing by the Local Planning Authority. Prior to the full occupation of the development evidence (including where relevant Energy Performance Certificate(s) (EPC), Standard Assessment Procedure (SAP) and Building Regulations UK, Part L (BRUKL documents) shall be submitted to the Local Planning Authority to confirm that the energy systems have been implemented according to details laid out in the approved Energy Strategy and achieve the target performance as approved.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2036.

24. Notwithstanding condition 23 above, prior to construction of the development above slab level further details of the photovoltaics including siting, rake, number (including roof, elevations and section drawings) and technical specifications shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be installed prior to first occupation.

Reason: To ensure compliance with policies S1 and RE1 of the Oxford Local Plan 2036.

Utilities

25. No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in

accordance with the terms of the approved piling method statement and piling layout plan.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

26. No wastewater discharges shall be made from the development hereby approved until a wastewater treatment scheme 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 demonstrate that no occupation of buildings that discharge wastewater shall occur until adequate network and wastewater treatment capacity has been created to ensure no further deterioration in the water quality (of the Northfield Brook or other relevant watercourse). This will be in line with either 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 or as a result of a site specific solution for the treatment of wastewater flows.

The scheme shall be implemented as approved. No occupation of buildings allowed by this permission shall occur unless it is in line with the phasing plan set out within the scheme, or an approved site specific solution for the treatment of wastewater flows has been completed.

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 in accordance Policies with RE4, RE7 and V8 of the OLP and the NPPF.

Flood Risk / Drainage

27. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 2230404-EWP-P1-ZZ-RP-C-00002 Rev P3) and the following mitigation measures it details:

- a. Finished floor levels shall be set no lower than 57.86 metres above ordnance Datum (AOD), in accordance with paragraph 6.7.4.
- b. Compensatory flood storage shall be provided as shown in paragraph 6.8 flood compensation, table 6 and on plan reference 223404-EWP-P1-EX-DR-C-531000 Rev P02 – proposed flood volumes of the FRA.

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

Reason: To reduce the risk of flooding to the proposed development and future occupants, prevent an increase in the risk of flooding elsewhere by ensuring that compensatory storage of flood water is provided, prevent an increase in flood risk elsewhere by ensuring that the flow of flood water is not impeded, and the proposed development does not cause a loss of floodplain storage in accordance with Policies RE3 of the Oxford Local Plan 2036 and the NPPF.

27. The development shall be occupied in strict accordance with the the submitted flood evacuation plan 2230404-EWP-P2-ZZ-RP-C-00003, rev P2.

Reason: To reduce the risk to occupants from the risk of flooding in the surrounding area in accordance with Policies RE3 of the Oxford Local Plan 2036 and the NPPF.

28. The development shall be carried out in accordance with the submitted Drainage Strategy 2230404-EWP-P1-ZZ-RP-C-00001 rev P4 by Elliot Wood. The drainage scheme shall be implemented as approved prior to the first occupation of the development and shall be operated and managed in accordance with section 8 of the approved strategy at all times thereafter.

Reason: To ensure appropriate drainage for the site, to prevent the increased risk of surface water flooding and improve water quality in accordance with policies S1, RE3, RE4, RE7 and G1 of the Oxford Local Plan 2036.

29. 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 accordance with section 21 of the Flood and Water Management Act 2010 and with policy RE4 of the adopted Local Plan 2036.

Details of lighting and CCTV

28. Prior to commencement of development above slab level, details of a proposed external lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within parking courts promotes a secure environment and does not cause a nuisance to local residents. The approved details shall be implemented and retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of Secure by Design and residential amenities in accordance with DH1 and H14 of the Oxford Local Plan 2036.

Secure By Design

29. Prior to commencement of development, an application shall be made for Secured by Design accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details and shall not be occupied or used until confirmation of SBD accreditation has been received by the authority. The development shall take into account advice from Thames Valley Police.

Reason: In the interests of Secure by Design and residential amenities in accordance with DH1 and H14 of the Oxford Local Plan 2036.

Architectural details

30. Prior to commencement of development further large scale drawings of the architectural features shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation and thereafter retained:

- Details of the obscure glass fritting and external angled fins on the western elevation of Building A1.

Reason: to ensure high quality and that overlooking is suitable prevented by these measures and protect neighbouring residential amenities in accordance with Policies DH1 and H14 of the Oxford Local Plan 2036.

Transport

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

Reason: To ensure a safe and adequate access and in the interest of highway safety and provide adequate road infrastructure in accordance with Policies M1, M2 and RE7 of the Oxford Local Plan 2036.

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

Reason: To encourage the use of sustainable modes of transport in line with policy M5 of the Oxford Local Plan 2036.

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

Reason: In the interests of highway safety and to mitigate the impact of delivery and service vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times in accordance with Policies M1, M2 and RE7 of the Oxford Local Plan 2036 and the NPPF.

33. The development shall not be occupied until a car park management plan has been submitted to and approved in writing by the Local Planning Authority. This plan should stipulate the number of spaces and areas available on site for both staff and visitors and how parking will be allocated, monitored and enforced. The buildings shall be occupied strictly in accordance with the approved management plan at all times thereafter.

Reason: To ensure adequate car parking provision is made, but that does not cause an increase in the trip rate approved as part of the planning permission in accordance with Policies M1, M3 and RE7 of the Oxford Local Plan 2036.

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

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

35. Prior to first occupation a Travel Plan Statement should be submitted to the Local Planning Authority. The Travel Plan (or future updated version which shall be first agreed in writing with the Local Planning Authority) shall be given to every employee and the development shall be occupied in accordance with the Travel Plan at all times thereafter.

Reason: To promote sustainable modes of transport and to ensure all employees and visitors are aware from the outset of the travel choices available to them and to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework and Policies M1 and M2 of the Oxford Local Plan 2036.

36. A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify;

- The CTMP must be appropriately titled, include the site and planning permission number.

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

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times in accordance with Policy RE7 of the Oxford Local Plan 2036.

37. No occupation of the development shall take place until details of a public art strategy, a phasing plan for its implementation and measures for its maintenance has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved phasing plan. The art shall be multifunctional including for wayfinding, play, eating or resting and shall be informed by the history of the site, its locality and proposed uses. The public art as approved and implemented shall be retained and maintained at all times thereafter in accordance with the approved plan unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies DH1 and RE7 of the Oxford Local Plan 2036.

Access/Mean of enclosure.

38. No means of enclosure connecting buildings A1 and A2 shall be erected at any time to obstruct public access into or out of or across the central courtyard area of the development.

Reason: In the interests of public benefits of the site to the wider community and to ensure the enhanced built environment approved in accordance with Policy DH1 and DH3 of the Oxford Local Plan 2036.

Informatives

1. ***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 Biodiversity Gain Plan has been submitted to the planning authority, and*
 - *the planning authority has approved the plan.*
2. 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.

3. 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.
4. Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.
5. *Health Impact Assessment:* The Applicant is encouraged to ensure that they and the operational occupier act on the recommendations set out in the HIA with regards to engaging with the local community in order to enhance the positive impact of the development on health and wellbeing.

13. APPENDICES

- **Appendix 1 – Site location plan**

14. HUMAN RIGHTS ACT 1998

- 14.1. 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.

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/refuse] planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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