

## Oxford City Planning Committee

9th December 2025

**Application number:** 25/02092/FUL

**Decision due by** 9th December 2025

**Extension of time** 16th December 2025

**Proposal** Demolition of the existing Science Buildings. Partial demolition of the Quinn and 1928 Buildings. Erection of a three storey academic building (Use Class F1(a)). Installation of solar panels, alterations to landscaping and associated works. Provision of cycle parking (amended description)

**Site address** Magdalen College School , Cowley Place, Oxford, Oxfordshire – see **Appendix 1** for location plan

**Ward** St Marys Ward

**Case officer** Robert Fowler

**Agent:** Miss Martha Woodley

**Applicant:** Magdalen College School

**Reason at Committee** The application is a major planning application

### RECOMMENDATION

Oxford City Planning Committee is recommended to:

- i. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission subject to the satisfactory completion of a unilateral undertaken between the applicant and Oxfordshire County Council to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and
- ii. **agree to delegate authority** to the Director of Planning and Regulation to: finalise the recommended conditions and unilateral undertaking as set out in this report including such refinements, amendments, additions and/or deletions as the Director of Planning and Regulation considers reasonably necessary; and issue the planning permission.

## 1. EXECUTIVE SUMMARY

- 1.1 This report considers the demolition of the existing Magdalen College School science buildings on Iffley Road and the replacement of these buildings with a new three storey building; the proposed building would provide science classrooms, the school library and a dedicated space for the school's

outreach program (the Partnerships Program). The proposed contemporary building would be constructed in three sections with a variation in height, massing, fenestration and roof type but a homogenous materiality and decorative brickwork that draws from the surrounding townscape. Minor alterations and partial demolition of the adjacent buildings at the south-eastern edge of the site are proposed; this would facilitate the connection of the new building into the adjacent academic buildings on the site and create circulation space to the south-east of the proposed building.

- 1.2 The proposals include the retention of the existing mature trees on Iffley Road with the exception of a diseased ash tree and the loss of one lime tree. An enhanced scheme of landscaping is proposed along the Iffley Road frontage with further enhancements proposed within the school site. The proposals include the provision of biodiversity net gain on the site which would lead to additional planting around the prominent 'Big School' assembly hall building that is situated on the corner of Cowley Place and the Plain.
- 1.3 The proposed development is situated within the St Clements and Iffley Road Conservation Area and would be visible from a number of designated view cones (including South Park) and views from key vantage points in the City Centre (notably the tower of the University Church of St Mary the Virgin). The proposals would also lead to impacts to non-designated heritage assets. Planning permission is sought to partially demolish the 1928 building which is a single storey building on Cowley Place; the building has some architectural interest and is considered to be a non-designated heritage asset though the loss of this building has been carefully justified. Officers recommend that whilst the development would give rise to less than substantial harm to the Conservation Area and to views this harm is outweighed by the provision of statutory education on the site and the proposed enhancements to the school's partnerships programme. These benefits also outweigh the harm to non-designated heritage assets including the 1928 building and the setting of Big School. Officers acknowledge that whilst the site has archaeological potential this issue can be resolved by condition.
- 1.4 The proposed development has been carefully considered in terms of its transport impacts both in terms of the construction phase and the operational phase of the development. Whilst the development would facilitate an increase in classrooms it is not proposed to increase school numbers. Despite there being no increase in vehicle movements associated with the proposed development the school has carried out a robust monitoring of traffic associated with the school and has carried out improvements to the school coach programme in consultation with Oxfordshire County Council Highways and local residents. A legal agreement to secure travel plan monitoring on the site is included as part of the recommendation in addition to conditions to secure enhancements in cycle parking.
- 1.5 Officers recommend that the development is acceptable in terms of its high quality design, impact on heritage assets and impact on neighbouring amenity. Other matters can be adequately resolved by condition.

## **2. LEGAL AGREEMENT**

- 2.1. This application is subject to a legal agreement (a unilateral undertaking) to cover travel plan monitoring with Oxfordshire County Council as the Local Highway Authority; the cost of this would be £2,305. The Travel Plan aims to encourage and promote more sustainable modes of transport with the objective of reducing dependence upon private motor car travel and so reducing the environmental impact and traffic congestion. A Travel Plan is required to make this development acceptable in planning terms. The legal agreement wording has been agreed between the applicant and the County Council.

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

- 3.1. The proposal is liable for CIL with an amount of £64,524.84.

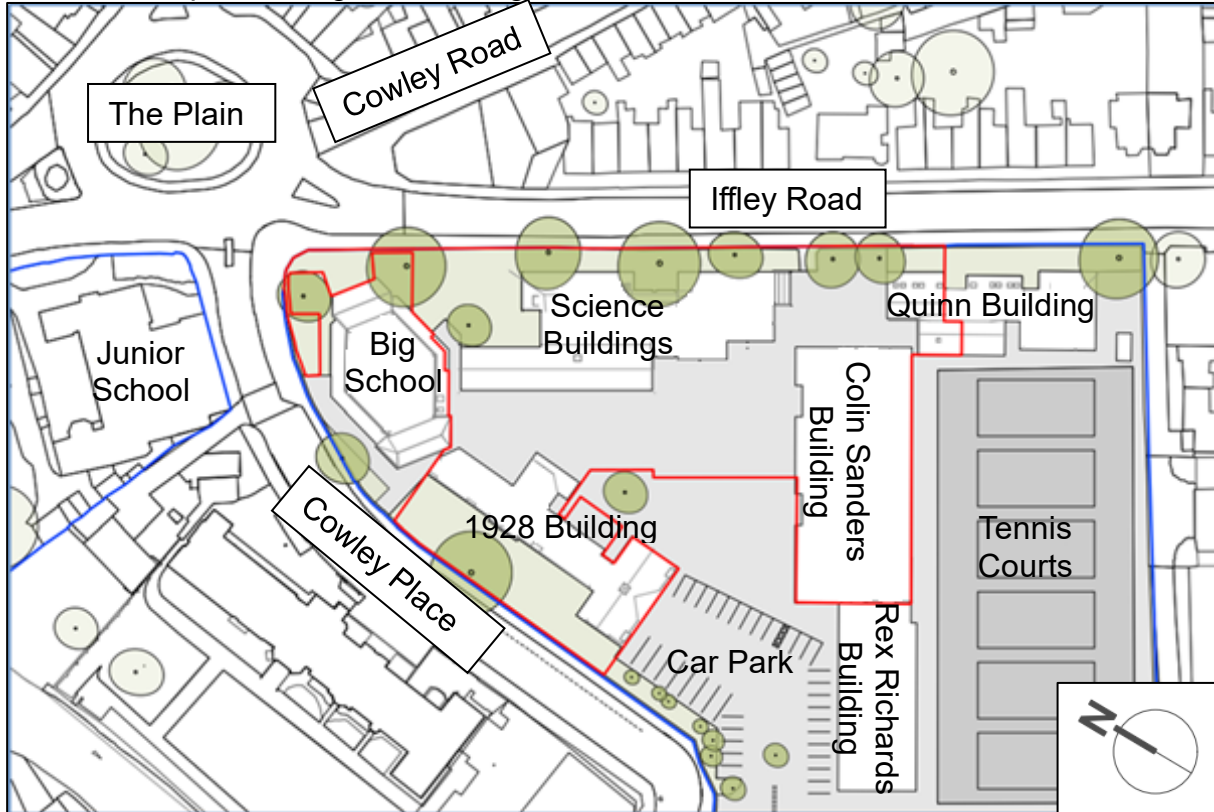
## **4. SITE AND SURROUNDINGS**

- 4.1 The application site encompasses parts of the Magdalen College School (MCS) senior school, situated to the west of Iffley Road, south and east of Cowley Place, and immediately south of The Plain in East Oxford. To the north of the senior school is the original School House building (Grade II listed) which houses the MCS junior school.
- 4.2 The senior school itself is formed from a fairly eclectic mix of buildings, developed from 1920s up to the modern day. Prominent buildings on the site include the '1928 Building' which faces Cowley Place. This is a single storey rendered building with timber weatherboarding; its architectural interest means that it is considered to be a non-designated heritage asset. To the north of the 1928 Building is 'Big School', an impressive concrete and brick modernist hexagonal assembly hall which was opened in 1966; the building is situated on a prominent location at the junction of the Plain and Cowley Place.
- 4.3 Important to the context of this application are the buildings on the Iffley Road frontage; closest to Big School is the Science Building originally developed in the 1950s and later altered and extended. The Quinn Building is situated to the south-east of the Science Building and dates from the 1970s. To the rear of these buildings within the centre of the site is the larger Colin Sanders Building; a 1950s building that was extensively altered and extended in the 1980s. None of these buildings are of particular architectural merit although the low sloping roof of the Science and Quinn Buildings in addition to the mature trees that line the Iffley Road frontage mean that these buildings have relatively discrete presence in the streetscene and Conservation Area. The trees along the Iffley Road frontage form a continuation of mature trees that line parts of this important arterial road into the City Centre; planting around the school site and a hedge behind the existing railings create a verdant boundary between the school and Iffley Road.

- 4.4 The southern corner of the senior school site contains a large area of tennis courts; beyond this lies an access road and playing fields belonging to Christchurch. Larger and more recent buildings on the MCS senior school site include the Michael Peagram Building (that provides the school's offices) and the Rex Richards Sixth Form Building (which has a distinctive green copper roof); these later additions to the school site have been developed in the last twenty years. The area bounded by the aforementioned buildings at the centre of the school site function as the school playground and is laid out for the unique MCS sport called 'King Ball'. An area of parking exists closer to the vehicular entrance onto Cowley Place; the main pedestrian entrance to the school lies between the existing science building and the Quinn Building on Iffley Road.
- 4.5 On the eastern side of Iffley Road, opposite MCS senior school are nineteenth century houses; these are taller residential properties with accommodation predominantly set over three floors and constructed from a mix of red and buff brick. The roofscape is important in the context of these properties with traditional slate pitched roofs and prominent chimneys. The houses lining Iffley Road are characterised by bay windows with low brick walls forming the boundaries separating the small front gardens from the highway.
- 4.6 The application site lies entirely within the St Clements and Iffley Road Conservation Area. The Conservation Area is characterised by the distinct areas of St Clements (formally a working class suburb of Oxford) and Iffley Road (which contained grander houses enjoying views to the meadows). The Conservation Area is also characterised by mature vegetation and street trees; with the Plain providing significant areas of mature vegetation that acts as a green gateway into the Conservation Area. The western side of Iffley Road has historically been less developed and this is still evident in terms of the gaps in development, notably the University Running Ground; with parts of the MCS Senior School site not developed until the mid-twentieth Century.
- 4.7 None of the buildings on the Senior School site are listed. To the immediate south of the junior school site, School House lies 2-3 Cowley Place (which is Grade II listed); comprising residential and student accommodation uses and owned by Magdalen College. These buildings are rendered and painted and more in keeping in many respects with the established pattern of development seen throughout St Clements and Iffley Road. Further south are buildings associated with St Hilda's College including the library, Old Hall and walls forming the older parts of the college; these are all Grade II listed. These buildings are largely constructed of buff brick and variegated brick and date from the 18<sup>th</sup> and early 20<sup>th</sup> Centuries. To the north and north-east of site is the Plain. This roundabout marks an important entrance into the City Centre from the East and South-East and has a unique townscape. The Victorian Fountain lies to the north-western edge of The Plain and is Grade II listed. Nos 9-13 St Clements are all Grade II listed and lie on the northern side of The Plain. Properties bordering The Plain have a fairly varied use, being a mixture of residential, office and retail uses as well as two public houses. To the north and west of the MCS site is Magdalen Bridge (Grade II\*)

listed), the Botanical Gardens and Christchurch Meadows (both of which are Grade I registered park and gardens); though views into the MCS senior school site from these gardens and meadow are limited.

See location plan – Magdalen College School Senior School Site



(Extract from Existing Site Block Plan, adapted from Walters and Cohen Architects, 2025. **NB. Plan is not orientated with north at the top of the page**)

## 5. PROPOSAL

### *Proposed Science, Library and Partnership Building*

- 5.1 The main aspect of the proposed development would be to demolish the existing science building and erect a new three storey building along the Iffley Road frontage. The proposed building would be constructed in three sections; with the area closest to the Plain at the north-west end of the site containing a series of blocks that are set back varying distances from the road and drawing from the domestic architecture on the opposite side of Iffley Road in terms of the bay features and brick detailing; this part of the building would have a flat roof. Chimneys are proposed on the blocks forming this part of the building which would be functional elements providing ventilation to the science laboratories.
- 5.2 At the opposite end of the Iffley Road frontage at the south-east corner of the site the proposed building would incorporate a new library and

accommodation for the Partnerships Programme. This part of the proposed building would have a pitched roof finished in slates.

- 5.3 At the rear of the proposed Science, Library and Partnership Building the proposed façade would contain a colonnade and raised balcony element that would provide ancillary outdoor space for the classrooms at first floor.
- 5.4 Between the aforementioned elements it is proposed to provide an entrance block centrally within the Iffley Road frontage that would have a higher overall height and parapet that would conceal plant. The proposed entrance area would be situated in the location of the existing school entrance on Iffley Road; this is proposed to provide a wider entrance for pedestrians and an enhanced undercroft entrance surfaced with clay pavements.
- 5.5 Despite being divided into the different elements described above the building would have a homogeneous materiality of light bricks, bronze metal window surrounds and rainwater goods, and incorporating a contemporary palette of detailing. The proposed Science, Library and Partnership Building would incorporate solar panels, a green roof and a concealed cluster of air source heat pumps (above the entrance block).
- 5.6 The proposals include partial demolition of the east elevation of the Colin Sanders Building and incorporating parts of that building into the new building. Part of the north-west elevation of the Quinn Building would also be demolished and altered to make space for the new building.
- 5.7 The proposed building would be set back from Iffley Road (by between approximately 6.3 and 9.4m) to retain the existing mature trees on the frontage with the exception of a diseased ash tree and a lime tree in the vicinity of the entrance block. A new specimen tree is proposed on the frontage to ameliorate for the loss of the aforementioned trees along with lower level planting of shrubs and sections of hedge and a low-level wall. The proposed building would be set back further from the highway than the existing building (by approximately an additional 2m) which is proposed to facilitate enhanced landscaping along the Iffley Road frontage. Additional landscaping is proposed around 'Big School'; chiefly to provide on-site biodiversity net gain but also to continue the proposed landscaping enhancements on Iffley Road along the school's frontage with the public realm.

*Partial Demolition of 1928 Building and Improvements at the Centre of Senior School Site*

- 5.8 On the Cowley Place frontage the application seeks to partially demolish the 1928 Building. The building would be partially demolished with the removal of the north-western third of the building which would facilitate the construction of the proposed Science, Library and Partnership Building. Plans are included that would allow for the north-west elevation of the 1928 building to be 'made good' after the partial demolition of the building. The proposals originally included the eventual complete demolition of the building which

would facilitate future enhancements to the playground at the centre of the school site; this aspect of the proposals was removed as a result of ecology requirements but is likely to come forward as a standalone planning application in the future. Landscaping along the Cowley Place frontage would be retained or re-instated after the partial demolition of the 1928 building with details to be provided by condition.

- 5.9 At the rear of the Science, Library and Partnership Building the existing school playground area would be retained in tarmac but with the proposed colonnade area at the rear of the building providing climbing plants that would form part of the wider landscaping enhancements.

#### *Cycle Parking*

- 5.10 The proposed development would include the removal of existing cycle parking notably at the rear of the existing science building and adjacent to the exiting pedestrian entrance onto Iffley Road. The proposed cycle parking would be re-provided and enhanced with 130 cycle spaces provided (of which 65 would be covered).

## **6. RELEVANT PLANNING HISTORY**

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

71/24594/A\_H - Erection of additional teaching accommodation comprising classrooms music room and science laboratories with connecting links at Magdalen College School. PERMISSION GRANTED 27th July 1971.

73/00304/A\_H - Erection of additional teaching accommodation including landscaping access (amendment to approved plan No 24594) at Magdalen College School. REFUSED 8th May 1973.

73/00940/A\_H - Erection of additional teaching accommodation including landscaping at Magdalen College School (revised plan). PERMISSION GRANTED 10th July 1973.

81/00861/NFH - Two storey classroom block at Magdalen College School. PERMISSION GRANTED 16th December 1981.

90/00064/NFH - Erection of 3 new teaching laboratories (plus ancillary accommodation) as an extension to existing buildings on Iffley Road frontage at Magdalen College School (amended plans). PERMISSION GRANTED 16th March 1990.

96/01784/NFH - Construction of 3 storey extension to provide additional teaching accommodation at Magdalen College School (Amended Plans). PERMISSION GRANTED 11th April 1997.

99/00894/NFH - New sports hall incorporating 2 storey extension to existing

changing rooms.. PERMISSION GRANTED 1st April 2000.

06/01530/FUL - Planning permission for erection of three storey building incorporating catering and dining facilities, staff common room, art and design and technology rooms and teaching accommodation. Reconfiguration of car park. PERMISSION GRANTED 9th November 2006.

11/00508/FUL - First and second floor extensions to provide multi-purpose sports hall at first floor and classroom and office at second floor. PERMISSION GRANTED 6th July 2011.

15/01152/FUL - Part demolition of "1928 Building" and various outbuildings. Erection of 4 storey extension to Colin Sanders Building to provide Sixth Form Centre. Alterations to entrance quad incorporating revised car and cycle parking layout for 34 cars and 80 cycles. (Amended plans). PERMISSION GRANTED 20th August 2015.

21/03158/FUL - Partial demolition of an existing three-storey link building between the existing sports hall and an academic block and erection of a new three-storey building comprising a kitchen servery, teaching classroom and learning support department. PERMISSION GRANTED 29th December 2021.

## 7. RELEVANT PLANNING POLICY

7.1 The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents
<b>Design</b>	131-141	DH1 – High quality design and placemaking DH7 – External servicing features and stores RE1 – Sustainable design and construction RE2 – Efficient use of land	
<b>Conservation/Heritage</b>	202-216	DH2 – Views and building heights DH3 – Designated heritage assets DH4 – Archaeological remains DH5 – Local Heritage Assets	St Clements and Iffley Road Conservation Area  Central Conservation Area Appraisal



			View Cones Study (2015)
<b>Natural environment and sustainability</b>	161-186 187-201	RE3 – Flood risk management RE4 – Sustainable drainage, surface and groundwater flow RE5 – Health, wellbeing and Health Impact Assessments RE6 – Air Quality RE7 – Managing the impact of development RE8 – Noise and vibration RE9 - Land quality G2 – Protection of biodiversity and geo-diversity G5 – Existing open space, indoor and outdoor sports and recreation facilities G7 – Other green and open spaces G8 – New and enhanced Green and Blue Infrastructure Network Features	
<b>Social and community</b>	96-108, 131-141	S1 – Presumption in favour of sustainable development S2 – Development contributions V7 – Infrastructure and cultural and community facilities V8 Utilities	
<b>Transport</b>	109-118	M1 – Prioritising walking cycling and public transport M2 – Assessing and managing development M3 – Motor vehicle parking M4 - Provision of electric charging points M5 – Cycle parking	

## 8. CONSULTATION RESPONSES

- 8.1 Site notices were displayed around the application site on 23rd September 2025 and an advertisement was published in The Oxford Times newspaper on 18th September 2025.

## *Statutory and non-statutory consultees*

### Oxfordshire County Council (Highways)

8.2 Original comments included objections relating to the need to provide trip data arising from increased potential transport impacts of the development. Other comments relating to servicing and construction impacts. Following the submission of additional information the objections were withdrawn. Comments are summarised below:

- The application for a replacement science building with an 1,873 sqm increase in floor area.
- The current number of pupils is 950, consisting of 135 at the junior school and 816 at the senior school as well as 300 members of staff.
- The applicant has stated that the additional development will not result in additional pupils on-site.
- The pedestrian access would be relocated a couple of metres northwards of the existing location.
- School coaches no longer stop on The Plain roundabout but on St Clements and Iffley Road only.
- 120 cycle parking spaces will be relocated as part of the development as these are directly affected by the proposals but across the site there are a further 150 existing cycle parking spaces making the total 270 spaces. This is considered sufficient.
- A condition has been requested for a drawing showing all existing and proposed cycle parking on-site.
- The increase in floor area could potentially generate an additional 11 vehicle trips in the AM peak hour and 7 vehicle trips in the PM peak hour. This small number of additional trips will not have a material impact on the operation of the highway network.
- The Travel Plan aims to encourage and promote more sustainable modes of transport with the objective of reducing dependence upon private motor car travel and so reducing the environmental impact and traffic congestion. A Travel Plan is required to make this development acceptable in planning terms; this will require a legal agreement to secure £2,035 for travel plan monitoring.

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

8.3 No objections, the approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing. Recommend a condition relating to the implementation and maintenance of the sustainable drainage scheme.

### Thames Water Utilities Limited

8.4 Comments requesting information relating to piling and proximity of the proposed development relative to Thames Water assets. This information was provided to Thames Water and comments were received acknowledging receipt of this information; a condition is included to require details of any

piling but this is not proposed as part of the development (and is only included in the event that this is required if ground conditions preclude conventional foundations).

Thames Valley Police

- 8.5 No objections, recommend a condition to ensure that the site is secure during the construction phase of the development.

Environment Agency

- 8.6 No comments

Historic England

- 8.7 No comments, recommend seeking internal conservation advice on the proposals.

*Public Comments*

- 8.8 Comments were received from the following addresses objecting to the proposed development: 183 Morrell Avenue, 42 Boundary Brook Road and a 4 x comments with no address provided

- 8.9 The objection comments can be summarised as follows:
- Effect on pollution
  - Effect on traffic
  - Local plan policies
  - Noise and disturbance
  - Access impacts
  - Parking provision
  - Public transport impacts/accessibility
  - Construction traffic should be limited to being only allowed outside of peak times.
  - School need to encourage more cycling
  - Ban left turns from Iffley Road into Cowley Place
  - Impacts during construction

- 8.10 Comments were received from the following addresses neither objecting or supporting the proposed development: Divinity Road (no number provided).

- 8.11 The comments can be summarised as follows:
- Effect on pollution
  - Effect on traffic
  - Noise and disturbance
  - Construction traffic should be limited to being only allowed outside of peak times.

**Officer response**

- 8.12 Officers have sought additional information to resolve issues raised during the course of the consideration of this application including revised flooding/drainage details and information relating to the highways impacts of the proposed development. Conditions as suggested by consultees as listed above are included in the officer recommendation. The matters raised in consultation are discussed in the officer report below.

## **9. PLANNING MATERIAL CONSIDERATIONS**

Officers consider the determining issues to be:

- I. Principle of development
- II. Design and Impact on Heritage Assets
- III. Energy and Sustainability
- IV. Impact on Neighbouring Amenity
- V. Trees and Landscaping
- VI. Ecology
- VII. Flooding and Drainage
- VIII. Highways
- IX. Air Quality and Health Impact Assessment

### **I. Principle of development**

#### *Policy Context*

- 9.1 The proposed development would involve the replacement of existing school buildings with new teaching, administrative and ancillary spaces (including the proposed accommodation for the Partnerships Programme). Policy V7 of the Oxford Local Plan supports the expansion of existing schools.

- 9.2 In terms of national planning policy, the National Planning Policy Framework (NPPF) Paragraph 100 is relevant to the proposals:

*It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*

*a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and*

*b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.*

- 9.3 As an extension to an existing school the principle of development is considered acceptable in the context of Policy V7 of the Oxford Local Plan

(2036). Officers also recommend that the development would be acceptable in the context of Paragraph 100 of the NPPF as set out above.

### *Need*

- 9.4 Whilst the acceptability of the proposals in principle is considered to be acceptable the applicant has provided a significant level of detail relating to the need for the proposals. This has been provided in the context of justifying the scale of development proposed, the requirement for demolition of the existing buildings and is beneficial in terms of qualifying the public benefits that arise from the proposed development which are assessed further in Section II of this report.
- 9.5 The submitted planning statement details that the requirements for the new buildings have arisen because of the age of the existing building (1959) and the desire for the school to provide a sector-leading science facility. Some aspects of the modern curriculum are not suited to the existing building; experimental facilities in fields such as robotics and big data cannot be carried out because of poor ventilation and a limited floor to ceiling height.
- 9.6 Further to the above, the applicant is seeking to provide an enhanced Partnerships Programme, which is an outreach programme for education in the community which is detailed in Section II of this report. It is understood that the proposed development would create a dedicated space for the Partnerships Programme.
- 9.7 Lastly, the proposals include a purpose-built library facility that would be accessible from the Colin Sanders building in addition to the new Science, Library and Partnership Building.
- 9.8 The submitted planning statement sets out in detail the amount and type of accommodation being proposed as part of the application. Whilst the proposed development would facilitate an increase in the number of classrooms at the school this does not necessarily facilitate an increase in the school's pupil numbers given the specialist nature of classrooms being created, existing classroom timetabling constraints, and the need to provide new dedicated space for the Partnerships Programme and other ancillary spaces.
- 9.9 Officers recommend that the need for the proposed development has been carefully considered and justified; this has informed the design process and qualifies the public benefits discussed in the next section of this report.

## **II. Design and Impact on Heritage Assets**

### *Policy Context*

- 9.10 Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high-quality design that creates or

enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1 of the Plan.

- 9.11 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. Proposals must demonstrate that height or massing are appropriate and have been considered against their impact in short and long views in and out of the city.
- 9.12 Policy DH3 of the Oxford Local Plan 2016 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset, in this case a conservation area, and locality. For all planning decisions, great weight will be given to the conservation of that asset and to the setting of the asset, where it contributes to that significance or appreciation of that significance. Where a development proposal will lead to less-than-substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal, which should be identified by the applicant.
- 9.13 Policy DH5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development affecting a local heritage asset or its setting if it is demonstrated that due regard has been given to the impact on the asset's significance and its setting and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development.
- 9.14 Policy DH4 of the Oxford Local Plan 2036 states that where archaeological deposits that are potentially significant to the historic environment of Oxford are known or suspected to exist anywhere in Oxford, planning applications should include sufficient information to define the character, significance, and extent of such deposits as far as reasonably practical. Proposals that will lead to harm to the significance of non-designed archaeological remains or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm.
- 9.15 Policy DH7 of the Oxford Local Plan 2036 states that permission will only be granted where it can be demonstrated that external servicing features have been designed as an integrated part of the overall design, or are positioned to minimise their impact and that the materials do not detract from the overall design.

*Impact on St Clements and Iffley Road Conservation Area*

- 9.16 The St Clement's & Iffley Road Conservation Area encompasses development along two arterial roads providing access into the city from the east, each of which has its own character and evolved for different reasons. St Clements developed as a small self-contained working class suburb just beyond the city limits having been largely destroyed during the Civil War,

whilst Iffley Road was developed from the 19<sup>th</sup> century as a middle-class suburb, of higher class housing, designed to take advantage of the open views west across Christ Church Meadows.

- 9.17 The St. Clement's and Iffley Road Conservation Area Appraisal sets out the character, appearance and significance of the Conservation Area in detail. Regarding the western side of Iffley Road, it notes that its character is of two halves: the more open character from the Plain to Jackdaw Lane, and the densely developed character from Jackdaw Lane to the boundary just beyond Fairacres Road. This situation arose out of Christ Church College's reticence to enclose their landholding due to fears of their college looking towards the dense residential developments of east Oxford rather than open countryside. When the land was finally enclosed in 1853, the College was allotted a key site along the western side of the Road between the Plain and Jackdaw Lane that would enable them to safeguard their views. This land remained undeveloped for many years, serving variously as sports pitches and allotments, with a line of trees along the road boundary. When the eastern side of the road was developed the houses were built to a height that take advantage of the far-reaching views over the screen of trees and across Christ Church meadow.
- 9.18 During the second half of the twentieth century a greater quantum of development occurred on the west side of Iffley Road, including on the MCS site, reducing these views. Nevertheless, the density, scale and retention of landscape buffers between the development and the road means that the area between the Plain and Jackdaw Lane still retains a more open character, and the imposing terraced and detached properties on the east side of Iffley Road close to the Plain remain the dominant element of the streetscape. These characteristics are noted as key aspects of significance in the Conservation Area Appraisal. The Appraisal also notes that the visual character of Iffley Road relies greatly on the presence of mature tree planting, with views from the Plain down Iffley Road being particularly important.
- 9.19 The existing 1950s science building on the site is of no particular historic interest or architectural note and officers recommend that there is no objection on heritage grounds to the principle of its demolition. However, its diminutive scale, being largely 1 ½ storeys high, and sloping roof form, which draws the eye upwards towards the sky beyond, mean that the building has a understated presence in the streetscape, mitigating its impact on the open character of the west side of the road, and ensuring it does not compete with the residential properties on the east side of the road. This is expressly referred to in the Conservation Area Appraisal:

*Undeveloped for many years, the western side of the road to Jackdaw Lane from the Plain was open land, the boundary to Iffley Road being planted with a screen of trees. Section of this land has been built upon with predominantly low impact college and school buildings, the green screen has been retained lessening their impact on the road but the uninterrupted views across the*

*meadows that nos. 1-75 Iffley Road benefited from on the eastern side of the road, have now been significantly reduced.*

*(Extract from St Clements and Iffley Road Conservation Area)*

- 9.20 The proposed development represents a different approach to that adopted when the existing buildings on the site were erected; rather than having a understated presence in streetscene the proposals attempt to make a contribution to the streetscape by proposing a three storey building that whilst contemporary in style draws from the surrounding context in terms of its materiality, detailing and scale. The impact of the building would be reduced as a result of the retention of the existing mature trees on the frontage and the proposed building would be set back further into the site than the existing building. (by between approximately 2m in places).
- 9.21 The proposed building would incorporate the same rhythm of the terraced properties on the opposite side of the road with respect to the north-western part of the building (which is proposed to provide the science classrooms/laboratories). This element of the building has been carefully designed to have some set back elements that create variety in the streetscene and break up the massing; crucially, whilst having a very contemporary form including a flat roof this proposed part of the building would include detailing that reflects the bay windows on the opposite side of the road and the chimneys at roof level. The proposed use of brick detailing would draw from the domestic vernacular in this part of East Oxford. Whilst the use of the flat roof on this element of the building is at odds with the surrounding buildings it has been carefully justified in terms of reducing the overall height of the development and also facilitating the inclusion of solar panels and a green roof.
- 9.22 The proposed entrance block element of the building would have a greater overall height than the other elements of the building and seeks to 'announce' the presence of the building in the streetscene which from a legibility context is welcome as the existing pedestrian entrance (in a similar location) is not obviously apparent. In terms of its form the entrance block is reminiscent of other prestigious institutions in the City Centre notably Pembroke College. The entrance block includes a taller parapet that also conceals plant space at the roof level and is important in terms of bridging the gap between the flat roofed 'science' element of the building and pitched roof library element of the building.
- 9.23 Lastly, the proposed library element of the building would have a more contemporary pattern of fenestration but would have a more traditional roofscape (pitched and finished in slate) which would have a benefit in longer views. Officers consider that the detailing of the gable element on the south-eastern edge of the application site has been carefully crafted to ensure that the building has a more visually harmonious relationship with the surrounding townscape; these gable ends of terraces being particular important features in East Oxford. The larger windows in this part of the building reflect its use as a library.



- 9.24 Officers recommend that whilst the proposed building is composed of the elements described above (and this has arisen in part as a result of the type of accommodation required for teaching and ancillary spaces) the proposed development is a well-considered and high quality contemporary design that incorporates unifying elements, notably the use of brick, brick detailing and a landscaping approach that would soften the appearance of the building. The proposed use of a lighter coloured brick but one that incorporates significant variety in the brick colour would give the building more texture and a more visually harmonious presence in the streetscene.
- 9.25 Officers consider that the proposed development would be high quality in terms of its overall design. However, whilst there are merits to the overall approach of it incorporating features that are drawn from its context whilst preserving a homogeneous and contemporary pallet of materiality and detailing there would be harm caused by the streetscene impact of the proposed development. This harm arises as a result of the increased height and mass of the development in the streetscene compared with the existing relatively discrete form of development. Whereas the existing science building reduced its visual presence in the streetscene the proposed building would address Iffley Road more prominently and this is at odds with the significant characteristic of this part of Iffley Road being more open, verdant and (historically) less developed.
- 9.26 Whilst views of the building in the streetscene in the summer months would be reduced by the mature vegetation on Iffley Road this would be less of a mitigation in the winter months and exacerbated by the need to light windows in darker evenings/early mornings which would increase the visual presence of the building.
- 9.27 Officers recommend that the harm to the St Clements and Iffley Road Conservation Area caused by the proposed development, in the manner described above is considered to be less than substantial harm. In forming this view officers would suggest that the level of less than substantial harm in this case would be a moderate level. This impact is weighed against public benefits later in this report.

#### *Impact on the Setting of Listed Buildings*

- 9.28 The application site does not contain any listed buildings but lies within close proximity to a number of nearby listed buildings which have been considered by officers in terms of the impact of the proposed development on the setting of these buildings.
- 9.29 The listed buildings in close proximity to the application site include 2 and 3 Cowley Place, St Hilda's College, The Wall and Piers at St Hilda's College, St Hilda's College Library, St Hilda's College Old Hall, St Hilda's College, Piers and Gate to South Building (all Grade II listed). The aforementioned buildings are associated with St Hilda's College and provide either academic floorspace, college space or student accommodation. Whilst there would be

views from these buildings and their immediate environs towards parts of the application site the distance across the existing MCS site at the rear means that the presence of the new building would be greatly reduced. Other large buildings in the vicinity on the application site (including the Rex Richards Sixth Form Building) and the new St Hilda's Buildings fronting Cowley Place block some views of the proposed building. Overall, officers do not consider that the proposed building would give rise to any harm to the setting of these buildings.

- 9.30 School House (Grade II listed) lies on the opposite side of Cowley Place from Big School and is to the north-west of the application site. This building forms the principal building for the MCS junior school; designed by a noted architect, Arthur Blomfield it has a very important presence in the Conservation Areas (both St Clements and Iffley Road as well as the Central Conservation Area). Whilst there would be some intervisibility between School House and the proposed development the presence of Big School blocks views and the siting of School House within its own generous grounds means that its setting would not be harmed by the proposed new buildings.
- 9.31 Magdalen Bridge (Grade II\* listed) and the Victorian Fountain in the Plain (Grade II listed) lie further to the north (and north-west) of the application site but there is limited intervisibility between these buildings and the application site and officers are satisfied that there would be no harm the setting of these heritage assets.
- 9.32 Lastly, whilst the proposed development would be situated a fairly significant distance from the Botanic Gardens and Christchurch Meadow there are glimpsed views of the application site from these areas (both Grade I Registered Parks and Gardens). Officers consider that the proposed development would not have a harmful impact on the views from these gardens; the existing science building is currently glimpsed very slightly and any increased mass of development arising from the proposed development would not be visually intrusive. In reaching this recommendation officers have been informed by detailed assessments of the views from the gardens.

*Impact on the Central Conservation Area – View Cones and Elevated Panoramic Viewpoints*

- 9.33 The Oxford Central Conservation Area comprises the historic centre of Oxford, which up until the early 19th century was a relatively compact settlement centred on Carfax and extending only a short distance beyond the medieval walls. It encompasses an architectural history that spans nearly 1000 years, which includes exceptional architectural works by some of the most renowned architects of all time. These are evident at the City's core in its townscape and skyline, most notably in the form of the City's iconic collection of 'dreaming spires'.
- 9.34 As detailed in the Oxford Central Conservation Area Appraisal (2023) and the Oxford High Buildings Technical Advice Note (2018) and Evidence Base Report (2018), the interrelationship between the historic core of the city, the

surrounding medieval villages and the suburban development that subsumed them from the late-19<sup>th</sup> century, and the intrinsic connection of Oxford's historic development to its landscape setting is fundamental to the significance of the Central Conservation Area. This can be appreciated both from viewpoints outside the city looking in (i.e. the View Cones) and from elevated panoramic viewpoints within the city looking out, including but not limited to Carfax tower, Castle Mound, St George's Tower, St Mary's University Church, St Michael at the North Gate and the Sheldonian Cupola.

- 9.35 The Oxford View Cones represent 10 of the most important long-distance views of Oxford's internationally significant 'dreaming spires'. The Oxford View Cones Study describes the South Park view as a close-up view of the city that allows appreciation of the architecture of the city's landmark buildings from an attractive parkland setting admired since at least the late-16<sup>th</sup> century. It notes that trees running along the Cherwell and in the green spaces in its floodplain (including the grounds of Magdalen College and School), St Hilda's, and Merton and Christ Church Meadows beyond form a green mantle of foliage that defines the limits of the historic city centre and provide soft green masses that complement the harder forms of tower, spires and domes. The low-rise, mostly 2-3 storey suburbs of East Oxford and St Clements provide an introduction to the middle ground with no distracting high points that compete with the spires for precedence.
- 9.36 Views from Raleigh Park are framed by trees within the parkland, with the historic high buildings in the middle distance spread across the framed area and rising above the otherwise low scale roofscape of the City Centre. Headington Hill and South Park provide a green backcloth against which the towers, spires and domes are seen. From Crescent Road the dreaming spires are seen in the context of a diverse suburban foreground. The low-rise suburbs of East Oxford and St Clements are screened from view by greenery, which forms an attractive middle ground above which the spires and towers rise in relative isolation.
- 9.37 The application has been accompanied by a detailed views assessment that models the impacts of the proposed development in the context of defined views (including the view cones of Raleigh Park, South Park and Crescent Road which were identified as being areas where the development could be visible). Officers are satisfied that the long distance views from these points would not be harmed by the proposed development with respect to the most significant elements of these views (i.e. the spires of the City Centre). The proposals at roof level have been carefully considered to reduce their impact in longer views; this includes attempting to conceal plant and solar panels behind a parapet wall (detailed sections of this wall show that this will be a high quality crafted element of the scheme). The design of the proposed development has been informed by analysis of these views which led to changes in the height, roof design and materials at pre-application stage.
- 9.38 The greatest impact would be on the South Park view cone where the upper parts of the building would be partially visible above the roofs of houses in Iffley Road, due to the comparative heights. The proposed development is

not so tall as to compete with the views of the spires in this location and would not compromise the significance of the view in this regard. Officers consider that the articulation of the proposed roofscape of the Science, Library and Partnership Building softens the impact of the building. However, its roofline as experienced in this view is still somewhat inconsistent with the fine grained character of the residential suburb's historic roofscape, and it is noted that the top parts of the solar panels would be visible in this view, as the view from South Park allows a glimpsed view over the top of the parapet wall. Given this, it is considered that the proposed development, whilst being acceptable overall in terms of its impact on views, would give rise to less than substantial harm to the South Park view, specifically in regard to its impact on the St Clements and Iffley Road Conservation Area (and to a lesser extent the setting of the Central Conservation Area).

- 9.39 Officers consider that the proposed development would be relatively visible from the spire of St Mary the Virgin Church on the High Street. In the elevated views from St Mary's, the application site lies in the mid-ground, beyond the belt of trees that lie within the grounds of Merton and Christ Church Meadows, St Hilda's College, Magdalen College, and Magdalen College School. These trees demarcate the historic limits of the city centre, behind the buildings of St Hilda's College, amongst the fine-grained roofscape of the city's south-eastern suburbs. The existing science building is not visible from St Mary's, but on account of its much greater height the proposed new building would be. This is a key viewpoint that provides an important view over the City and views in particular of parts of East Oxford. Whilst the chimneys of the science block conform well to the character of this area, the taller element over the entrance block sits less comfortably amongst the fine-grained roofscape of the residential suburb. Therefore Officers recommend that the proposed development, whilst carefully designed to reduce its impact through the choice of a varying roofscape would cause less than substantial harm to the Central Conservation Area as a result of the impact on this view.

#### *Impact on Non-Designated Heritage Assets*

- 9.40 The dominance of the proposed development in the streetscape would also distract from views of the non-designated Cape of Good Hope public house from the Plain, where it currently serves as a landmark feature at the entrance to Iffley Road, causing a low level of less than substantial harm to the asset. Officers consider that this harm is acceptable having had regard to the public benefits that arise from the development.
- 9.41 The 1928 Building is a former temporary interwar structure and is of sufficient historic and architectural interest to warrant consideration as a non-designated heritage asset, and contributes to the varied architecture and strong sense of learning that characterises Cowley Place. The partial demolition of the 1928 Building, which is proposed as part of the development would result in harm to a non-designated heritage asset, but would also cause a further degree of harm to the significance of the Conservation Area. The impact of the partial demolition of the 1928 building

is reduced by the fact that this building has already been partially demolished following the development of the Rex Richards Sixth Form building on the school site. The proposed partial demolition of the 1928 Building has been justified in the context of providing increased space for the school's playground (which is already constrained by the existing buildings on the school site but would be further reduced by the proposed new buildings). The partial demolition is also required to facilitate the access for construction during the development of the new Science, Library and Partnership Building. Officers recommend that the proposed harm to the non-designated heritage asset in this case would be acceptable in the context of the overall benefits of the scheme (set out in full below).

- 9.42 The proposed development would impact on views around Big School; this is a prominent building particularly when viewed from the Plain and in addition to its architectural interest it is also of interest as it was designed by the same architects as the existing Science building. Officers consider that the proposed building does compete somewhat with views of Big School, in particular when viewed from the Plain. The increased height of the proposed building mean that it would form a more visible backdrop to Big School compared with the relatively discrete rooftops of the Science Building and Colin Sanders Building. However, the proposed building would be stepped back from parts of Big School and some enhancements to landscaping in this important gap between the buildings would mitigate the impacts described above. Officers consider that the low of level of less than substantial harm to Big School that arises from the proposed development would be acceptable having had regard to the public benefits arising from the scheme.
- 9.43 On the basis of above the proposed development would cause less than substantial harm to non-designated heritage but there are public benefits that need to be considered that weigh in favour of the development in this case.

#### *Mitigation*

- 9.44 When considering the acceptability of a development proposal great weight must be placed on the significance of the designated heritage asset as required by Policy DH3 of the Oxford Local plan (2036) and paragraph 212 of the NPPF. Any harm to assets should require clear and convincing justification (Paragraph 213 of the NPPF). In this context, the applicant's architects and team have worked with Officers to refine the scheme at pre-application stage. The justification for the proposals in terms of their size has been informed by the needs assessment and details referred to in paragraphs 9.5 to 9.11 of this report.
- 9.45 Further to the above, an Oxford Design Review Panel (ODRP) workshop took place on 5<sup>th</sup> September 2024 which provided recommendations for changes that could be made to the scheme. This resulted in a reduced roof volume (with the specific goal of reducing the impact on the view in South Park), improvements to the detailing and changes to materials (which has enhanced streetscene views). ODRP also asked the school to consider carefully the wider functioning of their site in the context of movement

through and around the school (which is covered in more detail in the highways section of this report). Officers consider that these changes and other refinements made to the scheme at pre-application stage have reduced the harm to heritage assets.

- 9.46 Lastly, having acknowledged the harm that could arise from the proposed development the applicant's architect and team have included aspects of the scheme to mitigate the impacts of the proposed development on heritage assets. Officers consider these aspects of the scheme are important to consider as part of the assessment of the development's impact on heritage assets. These mitigations include the retention of landscaping on the Iffley Road frontage and its improvement through additional planting, the provision of a new mature tree (close to the entrance), and setting back the Iffley Road elevation to allow more space for existing and proposed landscaping to grow or reach maturity.
- 9.47 Overall, officers consider that the changes made to the proposed development at pre-application stage and the mitigation put forward have reduced the harm arising from the proposed development. Officers recommend that this approach accords with the requirements of Policy DH1 of the Oxford Local Plan (2036) which encourages pre-application discussions and Paragraph 100 of the NPPF which requires engagement with education providers.

### *Archaeology*

- 9.48 The application site is of interest because of the potential for late-Saxon, medieval and Civil War archaeology in this location. The site is located within a late-Saxon suburb that developed into a medieval suburb outside the jurisdiction of the University controlled assizes in the later medieval period. The nearby 'Viking burial' find on the banks of the Cherwell and the dedication of the nearby church to St Clement's, along with a documentary reference to the name 'brycg-geset' has led to the suggestion that a Danish camp was established here in the Late Saxon period.
- 9.49 An excavation within the footprint of the proposed rebuild in 1957 revealed an arrangement of ditches interpreted as 12th century tenement boundaries and pits suggesting the expansion of the suburb at this time. The investigation also identified the likely line of the outer ditch of the Royalist star work that was built to protect the town when it became the Royalist Capital during the Civil War. The development site is located on the edge of a mound that may be the heavily landscaped remains of this earthworks rampart. The exact line of the star work is not known, it is shown in crude form on Loggan's 1675 map and plotted speculatively on the 2021 Historic Towns Atlas, the complex form may run under the current 'Science' building.
- 9.50 Officers consider that the submitted archaeological information draws conclusions that are incorrect with respect to the archaeological potential of the site and further details are recommended to be sought by condition. The

specific areas of concern relate to the requirement to investigate more thoroughly the potential for Saxon and Civil War remains on the site.

- 9.51 The remains of the Civil War defences of Oxford as a whole can be assessed as a nationally significant asset, whilst individual elements have the potential to be of national or regional significance. Elsewhere the Royalist defensive ditch has been shown to be up to 3m deep and to employ external man trap arrangements. Officers consider that the potential remains of the Civil War defences in the vicinity of Big School (which is situated on a mound) mean that this matter needs to be particularly carefully resolved by condition.
- 9.52 Whilst the 1950s investigation provides only basic information it is reasonable to assume that these proposals would impact on up to 20m of the Civil War ditch. Subject to the details of the foundation design this impact can be assessed as a moderate level of less than substantial harm to an asset of at least regional significance. The extant earthwork at the western end of the site is likely to be part of the Royalist star work and therefore a rare extant survival in the townscape as the bulk of two lines of Royalist defences survive only as below ground ditches with the exception of a section of the inner defensive rampart located between the University Club and Rhodes House. It therefore has the potential to be assessed as of regional or national significance depending on the character of later landscaping and build up.
- 9.53 The potential remains of the Civil War defences around Big School would need to be preserved if they were found to exist. This area of the application site is only required to provide additional tree planting to contribute towards on-site biodiversity net gain. Officers do not consider that this landscaping element would be required in design or landscaping terms and in the event that this element of the scheme could not be delivered because of archaeological constraints then biodiversity net gain could be provided elsewhere on the site or credits bought to secure off-site biodiversity net gain. As a result, officers have recommended a condition which requires the area around Big School to be investigated for the Civil War remains and in the event that there are remains then a revised landscaping scheme is required for this part of the site; revised biodiversity net gain requirements could still be met in a policy compliant way.
- 9.54 Officers have also recommended other conditions relating to historic building recording of the 1928 building, controlled demolition of the site to facilitate trial trenching and a condition relating to foundation design. Subject to the conditions included in the recommendation the development would be acceptable in the context of Policy DH4 of the Oxford Local Plan (2036) and Paragraph 207 of the NPPF.

#### *Public Benefits*

- 9.55 The proposed development seeks an expansion of an existing school providing statutory education. As part of this, the proposals have been justified in the context of a needs statement which cites a number of operational constraints to the site including the modern requirements of the

science curriculum. Officers recommend that the specific accommodation requirements of the school have been carefully considered as part of the proposals. The proposals are supported in the above context for the purposes of Policy V7 of the Oxford Local Plan (2036) and Paragraph 100 of the NPPF.

- 9.56 It is acknowledged that MCS serves a wider catchment than is typical for a school of its size. Despite this, it is set out clearly in the submitted planning statement that the school has sought to position itself as trying to serve the local community through bursaries, scholarships and an outreach programme (referred to as the Partnerships Programme). The submitted documents set out that this is currently constrained by the existing school's classroom capacity and spaces available for the Partnerships Programme. The Partnerships Programme includes the following elements:
- Schools Community Service Organisation – This involves sixth form pupils volunteering in the community.
  - Science Club – This currently provides space for around thirty pupils from primary schools in the OX4 postcode to attend science workshops on a weekly basis.
  - Academic Enrichment – A programme for approximately thirty pupils to attend a Saturday morning class aimed to provide academic enrichment in English, Maths, Sport and a 'guest subject' (drawn from the curriculum).
  - Other parts of the programme include coaching pupils from partnership schools on University entry (particularly for medical, dental and veterinary science course), a careers fair and arts festival.
- 9.57 As part of the proposed development the Partnerships Programme would be extended to offer workshops, classes and seminars with a minimum of 12 hours of weekly tuition time offered within school term time to a minimum of 90 pupils invited from local primary schools across the OX4 area; this would be an expansion of the existing 'Science Programme' referred to above (with at least triple the current number of pupils invited to attend). The proposals would also include expansion of the academic enrichment provided on Saturdays during term time. Given that these public benefits would provide enhancements specifically to local education provision then this public benefit should be afforded significant weight.
- 9.58 The submitted planning statement identifies other public benefits that would arise from the development including the sustainable nature of the building; the provision of solar panels and a building with a far higher energy performance than the existing building on the site represent public benefits. The proposals would also provide some enhancements to biodiversity, improvements to the public realm (increases in landscaping) and some economic benefits arising from more jobs associated with the development. Officers recommend that these benefits should be acknowledged but consider that these are minor compared to the education benefits that would arise from the proposed development.



- 9.59 Lastly the proposals would provide transport enhancements. Firstly, the proposals would provide a more legible, attractive and accessible pupil entrance onto Iffley Road for pedestrians. This is favourable in terms of the safe functioning of the highway having considered the location near the Plain which is congested and constrained by the existing road layout. The proposals have also included enhancements to the school coach service which are discussed in the highways section of the report. The attempts to reduce the transport impacts of the school's operations on the public highway should be acknowledged as a public benefit.
- 9.60 The proposed public benefits, specifically the Partnerships Programme, high energy performance of the proposed building, biodiversity enhancements, public realm enhancements and transport enhancements can be secured by condition if planning permission is granted and these are included in the officer recommendation. A scheme of travel planning with monitoring administered by the County Council highways team can be secured with a unilateral undertaking this also forms part of the officer recommendation.

#### *Servicing Features and Stores*

- 9.61 The proposals would include reprovision of cycle stores within the school site; specifically the playground. This is an ideal location given its accessibility from the Iffley Road entrance (which is the principle entrance used by pupils accessing MCS). These stores would have limited visibility in the public realm and are discretely sited. Plant and equipment, notably the proposed air source heat pumps would be accommodated within a purpose built concealed area at the roof level above the entrance block. The proposed use of the chimneys on parts of the building represent carefully considered means of servicing the building in a way that also contributes to the overall design quality of the development. On this basis officers are satisfied that the proposed development would accord with the requirements of Policy DH7 of the Oxford Local Plan (2036).

#### *Conclusion*

- 9.62 The proposed development is considered to represent high quality design that whilst representing a contemporary and imaginative form of development also draws extensively from its context and responds to the constraints of the site. Officers consider that the applicant's architect and design team have responded positively to the feedback provided at Oxford Design Review Panel, public consultation and pre-application discussions. For these reasons officers recommend that the development is acceptable in the context of Policy DH1 of the Oxford Local Plan (2036) and Paragraphs 135 and 137 of the NPPF.
- 9.63 Officers recommend that the less than substantial harm to designated and non-designated heritage assets that would arise from the development can be outweighed in this case by the public benefits as set out above. Officers recommend that in this context, subject to the conditions and unilateral undertaking set out in the officer recommendation that the development

would be acceptable in heritage terms and specifically in the context of Policies DH2, DH3, DH4 and DH5 of the Oxford Local Plan (2036) and Paragraphs 212-216 of the NPPF.

- 9.64 The Council has specific statutory duties that relate to conservation areas and listed building; the Council is required to pay special attention to the statutory test of preserving or enhancing the character and appearance of these designated heritage assets under Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. Officers recommend that the development is considered to be acceptable in terms of its preservation of the character and appearance of the heritage assets and complies with Sections 66 and 72 of the Act.

### **III. Energy and Sustainability**

- 9.65 Policy RE1 of the Oxford Local Plan 2036 states that planning permission will only be granted where it can be demonstrated that sustainable design and construction principles, set out in RE1, have been incorporated. It is expected that 25% of energy will be on-site renewables; water consumption must also meet the requirements of Building Regulations Part G2. An Energy Statement will be submitted to demonstrate compliance with this policy for new-build residential developments and new-build non-residential schemes over 1,000m<sup>2</sup>. On schemes of five or more residential dwellings or 1000m<sup>2</sup> the Energy Statement will include details as to how the policy will be complied with and monitored.
- 9.66 Paragraph 167 of the NPPF requires local planning authorities to give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic. Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets the proposals would need to be considered in terms of the harm caused to heritage assets and weight attributed to any public benefits arising from the proposals, in line with Policy DH3 of the Oxford Local Plan (2036) and Paragraph 208 of the NPPF. Officers consider that the demolition of the existing buildings on the site (including the Science Building and the partial demolition of the 1928 Building) means that much of the development does not relate to an improvement to an existing building but the installation of solar panels and air source heat pumps on the proposed Science, Library and Partnership Building would improve other buildings on the site (including the Colin Sanders Building). Further to this, the proposed building replaces existing buildings that have reached the end of their useful life, are ill-suited for modern science teaching and crucially have a poor energy performance which has been well-articulated in the submitted application.
- 9.67 Officers have reviewed the submitted Energy and Sustainability Statement' the statement confirms that the development is in accordance with Policy RE1. They can achieve carbon reduction of over 40% over building regulations and they are predicted to achieve the policy requirement (which

uses the 'Building Research Establishment Environmental Assessment Methodology' or 'BREEAM' assessment; in this case being considered 'excellent'.

- 9.68 The proposed development would include the following measures relevant to Policy RE1:
- Along with not using fossil fuels, the proposed building would minimise the operational energy demand to provide the best chance that the building (and the whole UK) can meet its energy needs from near zero carbon sources of power such as solar, wind and nuclear.
  - Space heating and hot water generation would use electrically driven means by air source heat pump. The heat pumps are proposed to use an environmentally friendly refrigerant (very low GWP refrigerant gases). Though it should be noted that gas taps are required for Science classrooms, as a result there would need to be a gas supply to the building.
  - The building is proposed to have excellent standards of energy efficiency. A passive first approach with very high standards of insulation, airtightness and solar heat gain management is proposed along with highly efficient building services including mechanical ventilation with heat recovery (MVHR), heat pumps for heating and cooling, LED lighting and energy saving control systems.
  - Solar photovoltaic panels (PVs) are proposed for the roof space above the new building. This amounts to an approximate PV area of 350m<sup>2</sup>.
  - Where possible existing materials on the site would be re-used.
  - The Science, Partnership and Library Building is aiming to achieve at least BREEAM 'Excellent' under BREEAM (New Construction V6.1). The current targeted score is 84.04%, with all minimum requirements for an Excellent rating to be achieved. Officers recommend that this is above the threshold for BREEAM Excellent as it includes a buffer of over 5% therefore a target of at least 80% is preferred to comfortably achieve BREEAM Excellent.
  - Sanitaryware would need to be specified to meet a 50% reduction in water consumption compared to a base building of the same type.
- 9.69 On the basis of the above, officers have recommended that the energy and sustainability measures included in the application constitute a public benefit in the context of Policy DH3 of the Oxford Local Plan (2036) and Paragraph 215 of the NPPF and this is afforded significant weight in the context of Paragraph 167 of the NPPF.
- 9.70 The development complies with the requirements of Policy RE1 of the Oxford Local Plan. Officers have recommended specific conditions to ensure that the measures included above are included in the following the finished scheme if planning permission is granted.

#### **IV. Impact on Neighbouring Amenity**

##### *Policy Context*

- 9.71 Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings.
- 9.72 Policy RE7 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that ensures that standards of amenity are protected including the amenity of communities, occupiers and neighbours. Developments must also not have unacceptable unaddressed transport impacts. Where developments do impact standards of amenity then appropriate mitigation measures should be provided where necessary. The factors the City Council will consider in determining compliance with the above elements of this policy include visual privacy, outlook, sunlight, daylight and overshadowing.
- 9.73 Policy RE8 of the Oxford Local Plan 2036 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health, and quality of life. Planning permission will also not be granted for development that will generate unacceptable noise and vibration impacts. Planning permission will not be granted for development sensitive to noise in locations which experience high levels of noise, unless it can be demonstrated, through a noise assessment, that appropriate attenuation measures will be provided to ensure an acceptable level of amenity for end users and to prevent harm to the continued operation of existing uses.

##### *Impact on Light and Outlook*

- 9.74 The proposed new Science, Library and Partnership Building would replace an existing building in the same location. Whilst it is acknowledged that the proposed building would be set back from Iffley Road further than the existing building, which is currently approximately 5m from the edge of the application site compared with between approximately 6.3 and 9.4m (as the frontage of the proposed building varies in terms of its proximity to Iffley Road) the proposed building would be considerably higher. The proposed three storey building would measure an overall height to the top of parapet of the ridge of the library element of approximately 15m compared with the ridge of the existing Colin Sanders Building closest to Iffley Road which is approximately 13m. The current Science building has an overall height of approximately 9m to the top of the ridge compared to the proposed science building (adjacent to the entrance block) which would measure approximately 13m to the top of the parapet wall. As a result of the increased height and mass of the building officers consider that the proposed development could impact on light

conditions in the properties on the opposite side of Iffley Road most of which are in residential use.

- 9.75 The application includes a daylight and sunlight assessment (beyond carbon, July 2025). The methodology for this document follows the Building Research Establishment (BRE) guidelines. The BRE Guidelines set out specific criteria for assessing daylight and sunlight impacts. For daylight, the Vertical Sky Component (VSC) and daylight distribution (No Sky Line) are used to determine whether a neighbouring window or room retains adequate access to diffuse daylight. For sunlight, the Annual Probable Sunlight Hours (APSH) test is applied to living rooms with windows facing within 90° of due south. For amenity spaces, at least 50% of the area should receive two hours of direct sunlight on 21st March, or retain at least 80% of its former sunlit area.
- 9.76 The submitted statement included found that a total of 70 windows across 12 properties on Iffley Road were identified as potentially affected by the proposed development. Of these, four windows showed a reduction in VSC to below 80% of their former value. However, all four are either side panes of bay windows or part of rooms with multiple windows. When assessed using area-weighted averages or considering the performance of the main window, all rooms were found to comply with BRE criteria.
- 9.77 The skylight (No Sky Line) test was also undertaken for the window with the greatest VSC reduction (Window #48 at 15 Iffley Road). Although the visible sky area on the working plane was reduced, it retained 84% of its original value which is within the BRE's 80% threshold. Officers recommend that this confirms that the internal daylight distribution remains acceptable.
- 9.78 The submitted statement sets out the sunlight analysis which was conducted for 48 windows with orientations within 90° of due south. All windows met the BRE thresholds for APSH, with no reductions exceeding the criteria for adverse impact. The only amenity space affected was assessed; this was the outdoor area of the Cape of Good Hope pub—was found to retain full sunlight access on 21st March, with no measurable impact from the proposed development.
- 9.79 Whilst the submitted assessment using the BRE guidance represents an industry standard assessment of sunlight and daylight impact this does not strictly align with all aspects of the Council's relevant planning policies, including Policy H14. Officers have also considered the requirements of the 45/25 degree code set out in that policy and applied the 45 degree uplift to the windows at lower ground and ground floor of properties on the opposite side of Iffley Road and found that these do comply with the policy requirement.
- 9.80 Having had regard to the presence of the existing Science building it is considered that whilst the overall height of the proposed Science, Library and Partnership Building would be greater the impact on outlook for properties in Iffley Road would be acceptable; nor would the building be overbearing for the same reason.

- 9.81 Officers have had regard to the surrounding land uses and do not consider that there are any other residential properties sufficiently close to the proposed building to experience any impacts in sunlight or daylight conditions other than the properties on the opposite side of Iffley Road from the proposed Science, Library and Partnership Building.
- 9.82 The height of the roof where the proposed solar panels would be situated means that there would be no impact in terms of glint or glare to nearby residential properties.
- 9.83 On the basis of the information provided and the assessment as detailed above the proposed development would have an acceptable impact in terms of sunlight and daylight and accords with the requirements of Policies H14 and RE7 of the Oxford Local Plan (2036).

#### *Impact on Privacy*

- 9.84 The proposed new Science, Library and Partnership Building would considerably increase the number of windows that would be directed towards properties in Iffley Road. It should be noted that despite being a main arterial road into the City Centre, Iffley Road is relatively narrow at this point and measures approximately 12m in terms of the width of the highway. The expansive sloping roof of the existing Science Building means that the majority of windows on the Iffley Road elevation are rooflights and there is relatively little outlook from this building towards Iffley Road (other than at ground level which faces towards a hedge). As a result, there would be an increase in both actual and perceived views from the proposed building towards residential properties in Iffley Road.
- 9.85 Notwithstanding the above, officers have considered the nature of Iffley Road as a busy arterial road where footfall, traffic and buses pass regularly throughout the day. The residential properties facing Iffley Road therefore already experience some loss of privacy on the front elevation, including at the upper floor level. The proposed development would also be set back from the street elevation with mature vegetation retained which would (at least in summer months) soften the impact of any actual or perceived loss of privacy.
- 9.86 As an academic building the proposed Science, Library and Partnership Building would be used principally within term time and during school hours; with limited use outside of these periods. Officers consider that this limited use within the evening or weekend periods would reduce the aforementioned impacts on privacy.
- 9.87 On the basis of the above, officers consider that whilst there would be a potential impact on privacy as set out above, having had regard to the existing windows on the Science Building, busy nature of the existing public realm in this location, vegetation and set back of the proposed building, and the use of the site the proposed development would not have a materially

harmful impact on privacy and would accord with the requirements of Policy H14 and RE7 of the Oxford Local Plan (2036).

#### *Impact of Noise*

- 9.88 The proposed development would lead to some increase in the amount of development which could increase noise associated with the use of the site. Officers recommend that this would be acceptable having had regard to the fact that this is an existing use of the site and the location of the application site is within a busy and built-up part of east Oxford (close to the City Centre). Officers recommend that there is no policy basis or justification in this context to impose a limitation on the hours of use of the proposed Science, Library and Partnership Building.
- 9.89 An acoustic assessment has been submitted with the application to satisfy the relevant prescribed standard (BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound', Noise Policy Statement for England, Planning Practice Guidance, National Planning Policy Framework) and with respect to Policy RE8 of the Oxford Local Plan 2036. In relation to all plant and equipment design and selection, appropriate noise guidelines have been followed.
- 9.90 The 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. Officers are satisfied that the proposed air source heat pumps within the plant area above the entrance block are located to minimise their noise impacts and these can be adequately accommodated without amenity impacts.
- 9.91 Officers are satisfied that the scheme should meet the local plan criteria given the appropriate design choice of plant and specified acoustic mitigation design and the development is therefore acceptable in environmental health terms. Officers have included relevant conditions to safeguard the impacts of noise on nearby residential properties which include limits on noise from plant, maintenance and anti-vibration measures.
- 9.92 On the above basis officers recommend that the proposed development would have an acceptable impact in terms of its impact on noise and disturbance to local residents and complies with the requirements of Policies RE7 and RE8 of the Oxford Local Plan (2036).

#### **V. Trees and Landscaping**

- 9.93 The proposed Science, Library and Partnership Building has been designed to consider landscaping from the outset which has included an extensive pre-application process. One of the key design features of the proposed building has been to retain existing vegetation along the Iffley Road frontage; with the retention of all but two of the existing mature trees in this location. One of the trees that is proposed to be removed (referred to in the submitted

landscaping scheme as T8) is an ash that is suffering from ash dieback. Another tree to be removed (referred to as T9) is a lime tree that is located too close to the proposed building to be retained. Small scale shrubs and a small tree at the northern end of the site (T12 on the submitted plans) would also be removed; these have little amenity value. Officers recommend that the proposed landscaping scheme taken as a whole, including the proposed new tree (adjacent to the entrance) would have a positive impact on the public realm and the Conservation Area (as discussed in Section II of this report).

- 9.94 The proposed development would involve setting back the front elevation of building to create more space for low level planting which is proposed and to create more space for the existing mature trees. Importantly, the size of the existing trees on the frontage has in part dictated the extent of how far the building is set back from the frontage which typifies how the approach of landscaping within the site on Iffley Road has influenced the design. It is proposed to remove parts of the existing railings at the front of application site to create more space in the public realm and the creation of a more natural and verdant frontage. The proposals would include a low brick or stone wall with discontinuous sections of hedge and shrubs behind which would make the adjacent pavement more open and introduce landscaping into the public realm. The proposed hedges and shrubs would provide a mix of visual interest, ecological benefit and assist with infiltration of rainwater by reducing surface water runoff.
- 9.95 The proposed development also includes some additional hard landscaping in the area of the enhanced pedestrian entrance on Iffley Road. This area currently contains a gap between the existing Science Building and Colin Sanders Building, opening into the playground at the centre of the senior school. The proposals would involve the installation of high quality dutch clay pavers; these would connect through the underpass entrance block of the new building which would be a more accessible and legible entrance.
- 9.96 Additional planting is proposed in the vicinity of Big School; this is peripheral to the new Science, Library and Partnership Building and whilst this would have a benefit in terms of providing more tree planting in the vicinity of the Plain it is less valuable in terms of design and heritage benefits than the planting on the Iffley Road frontage. As detailed with respect to Archaeology in paragraph 9.53 of this report, this element of planting is required to provide on-site biodiversity net gain. If this element cannot be provided as a result of the recommended archaeology condition for the reason that Civil War remains are found then an alternative landscaping scheme would be required; officers recommend that this is an acceptable approach in this case and would not undermine the well-considered landscaping elsewhere on the application site.
- 9.97 At the rear of proposed Science, Library and Partnership Building the proposals include climbing plants that would be introduced in trench planters at the base of the building and trained to climb the colonnade area and balcony of the building. This element would provide shade, visual interest



and some ecological benefit. There is limited scope to provide additional planting within the school playground given the constraints of the site and in this context the proposed climbing plants represent an innovative form of landscaping for this area.

- 9.98 The development scenario is reported to result in an immediate Tree Canopy Cover net gain of 1.3%, increasing to 6.2% as modelled at the application site after thirty years of completion. Officers are satisfied that this meets or exceeds the expectation of Policy G7 of the Oxford Local Plan (2036) and the version of Technical Advice Note 9 (TAN9) when the application was submitted.
- 9.99 Officers are satisfied that the proposed development would be acceptable in terms of its impact on trees, including protected trees in the Conservation Area. The proposed landscaping would contribute positively to the scheme overall, would enhance the public realm and provide ecological benefits. As a result, the development would comply with the requirements of Policies DH1 and G7 of the Oxford Local Plan (2036) and Paragraphs 135, 136 and 166 of the NPPF.

## **VI. Ecology**

### *Policy Context*

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

### *Protected Species*

- 9.101 Officers have reviewed the ecology information provided with the application. The bat surveys were carried out late in the season (19th August 2024, 11th September 2024). As the August survey was compromised through poor weather at sunset a second survey was carried out. Buildings on the site were found to have low bat roost potential within the initial ecology surveys in 2023. Officers raised concerns about the potential impact of the partial demolition of the 1928 Building given that it was found to have bat activity around it and had only been partially surveyed in 2024. Specifically, the emergence surveys that were carried out did not consider the entire demolition of the 1928 Building (only the northern third of the building). Following these concerns, an additional preliminary roost assessment was carried out in November 2025 which involved some internal inspection of the 1928 Building. Whilst this survey found that the potential for bats in any part of the building was low this would normally require emergence surveys that consider the whole building. As emergence surveys can only be carried out at specific times of year in the Spring and Summer the applicant amended the plans to remove the total demolition of the 1928 Building and instead will

likely seek a standalone application for that aspect of the proposals in the future. Officers have recommended conditions that relate to precautionary working methods that resolve any potential interface between the northern third of the 1928 Building and the rest of the 1928 Building to resolve any potential ecology impacts during construction.

- 9.102 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). It should be noted 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. Oxford City Council, as the Local Planning Authority, can refuse planning permission if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on protected species and thus meet the requirements of the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2017 (as amended). In this case, officers are satisfied with the submitted information and can confirm that the proposals would meet the requirements of policy and legislation as set out above subject to conditions set out in this recommendation.

#### *Biodiversity Net Gain*

- 9.103 As a major planning application and in accordance with the requirements of the Environment Act (2021) the development would be required to provide biodiversity net gain. The survey was undertaken in May 2025. The biodiversity net gain calculation concluded a baseline value of 1.92 habitat units and 0.21 hedgerow units. The proposals are reported to result in the net gain of 0.47 (24.54%) habitat units and 0.15 (70.61%).
- 9.104 The application proposes 35 new trees on the application site. "A total of 35 small trees (i.e., trees planted at a Diameter at Breast Height of up to 30 cm) would be planted as part of the Development. Provided these trees are UK native species planted over-sailing vegetation and subject to minimal pruning, they are expected to achieve moderate condition. Existing mature trees are sought to be largely retained as set out above with respect to the landscaping section of this report.
- 9.105 The proposals also include a species rich green roof this has been detailed to contain over 850m<sup>2</sup> of flat roof. The planted area would extend over the full area of the roof and under PV panels (excluding any walkways). The proposed soil depth would vary randomly from 80mm to 150mm to provide varied types of habitats, especially for ground dwelling invertebrates. The entire area would be seeded with a specialist UK native seed mix of grassland community species, specifically designed to achieve high levels of biodiversity. There are additional parts of the roof that would be treated with areas of sand and logs to increase the diversity of environments available for invertebrates.

- 9.106 The requirement for a revised landscaping scheme in the event of Civil War remains in the vicinity of Big School would necessitate a different approach to Biodiversity Net Gain but officers are satisfied that this can be secured by condition as recommended in a manner that would be acceptable in the context of Policy G2 of the Oxford Local Plan (2036).

*Conditions and Conclusion*

- 9.107 Officers recommend that subject to conditions as included in the recommendation the proposed development would be acceptable in the context of its impact on protected species and in relation to the requirements of Biodiversity Net Gain (BNG). The development meets the legislation and policy requirements as set out above including Policy G2 of the Oxford Local plan (2036), Environment Act (2021) and the Conservation of Habitats and Species Regulations 2017 (as amended).

**VII. Flooding and Drainage**

- 9.108 Policy RE3 of the Oxford Local Plan 2036 states that planning permission will not be granted for development in Flood zone 3b except where it is for water-compatible uses or essential infrastructure; or where it is on previously developed land, and it will represent an improvement for the existing situation in terms of flood risk. Minor householder extensions may be permitted in Flood Zone 3b, as they have a lower risk of increasing flooding. Proposals for this type of development will be assessed on a case-by-case basis, considering the effect on flood risk on and off site. Development will not be permitted that will lead to increased flood risk elsewhere, or where the occupants will not be safe from flooding.
- 9.109 Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy outlined in the policy. Applicants must demonstrate that they have had regard to the SuDS Design and Evaluation Guide SPD/ TAN for minor development and Oxfordshire County Council guidance for major development.
- 9.110 Officers have reviewed the information submitted with the application with respect to flooding and surface water drainage. For clarity this information included additional information sought to overcome specific concerns from the Council's specialists, Thames Water and Oxfordshire County Council as the Lead Local Flood Authority.
- 9.111 The application site is not at significant risk of flooding from any sources.
- 9.112 In accordance with Policy RE4 of the Oxford Local Plan, all new developments should be drained via a sustainable drainage system. A Flood

Risk Assessment and Drainage Strategy Report has been submitted with the application; the proposal is for controlled discharge of surface water from the new and renovated building roofs to a surface water sewer located in Cowley Place, via an on-site pumping station. A geocellular attenuation tank is also proposed, and peak discharge rate to the sewer would be limited to 3.1l/s. This represents between 79% and 97% betterment on the existing brownfield discharge rate, although this is greater than the greenfield runoff rate for the site. Site investigation has been carried out and infiltration rates and groundwater levels established. Infiltration rates were found to be within acceptable limits for feasible infiltration. However, groundwater levels were found to be too high for soakaway construction in combination with the required 1m buffer of unsaturated ground, and the use of infiltration in the drainage strategy has been discounted as a result. On the basis of the information submitted this strategy would be acceptable having had regard to the methodology, site specific circumstances and policy requirements.

- 9.113 The SuDS Maintenance Plan (30910, rev 01, dated October 2025) addresses the ongoing requirements for green roofs, filter drains, chambers, gullies, slot drains, channel drains, the pumping station and the attenuation tank.
- 9.114 Comments were received from Thames Water that sought further information relating to potential for piling and the location of their infrastructure relative to the proposed building. Officers sought additional information from the applicant, which confirmed that there will be no piling proposed as part of the development and no Thames Water infrastructure would be within close proximity to the development. A condition is included in the officer recommendation to require piling details prior to the commencement of the development which resolves this matter should ground conditions require piling of the building. A legal agreement was sought relating to the provision of a rising main as part of the proposed development but this will be resolved by building control requirements and is not a policy requirement for this application.
- 9.115 Officers have recommended a number of conditions which include securing the proposed drainage strategy, maintenance plan and carrying out further site specific investigations relating to the provision of the aforementioned attenuation tank. The latter of these conditions may require a redesign of part of the drainage strategy and for this reason officers have recommended that provision for potential changes to the drainage strategy are considered part of the imposition of the conditions so that if site specific circumstances preclude it being located adjacent to the proposed Science, Library and Partnership Building then this be relocated.
- 9.116 On the basis of the above, officers recommend that the proposed development would be acceptable in terms of its impact and accord with policy RE4 of the OLP.

## **VIII. Highways**

- 9.117 Policy M1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport.
- 9.118 Policy M2 of the Oxford Local Plan 2036 states that a Transport Assessment must be submitted for development that is likely to generate significant amounts of movement, in accordance with the requirements as defined in Appendix 7.1. In addition, development which meets the relevant criteria must include a travel plan. Where a Travel Plan is required under this policy and a substantial amount of the movement is likely to be in the form of delivery, service and dispatch vehicles, a Delivery and Service Management Plan will be required.
- 9.119 Policy M3 of the Oxford Local Plan 2036 states the parking requirements for all non-residential development, whether expansions of floorspace on existing sites, the redevelopment of existing or cleared sites, or new non-residential development on new sites, will be determined in the light of the submitted Transport Assessment or Travel Plan, which must take into account the objectives of this Plan to promote and achieve a shift towards sustainable modes of travel. The presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. In the case of the redevelopment of an existing or previously cleared site, there should be no net increase in parking on the site from the previous level and the Council will seek a reduction where there is good accessibility to a range of facilities.
- 9.120 Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.4. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street. Bicycle parking should be designed to accommodate an appropriate amount of parking for the needs of disabled people, bicycle trailers and cargo bicycles, as well as and facilities for electric charging infrastructure.
- 9.121 The context of the application site is highly relevant to its consideration in transport terms. The application site lies close to the Plain, a location that experiences high traffic volumes for many transport modes including cyclists. A number of concerns have been raised in public consultation about the impact of the existing school's operation on the highway in this location. These matters are considered in the officer report below.
- 9.122 In addition to the above, it should be noted that the school has sought to reduce car movements associated with the operation of the school in recent decades; with the introduction of the school's coach service being a particularly important example of this. Some consultation responses have

raised concerns about the operation of coaches in close proximity to the Plain, a matter that has been addressed in recent months by the school.

- 9.123 Throughout pre-application discussions officers raised transport matters which included concerns about the impact of the proposed development on highway safety at the Plain (both during construction and in the operational phase of the proposed development) and the impact of coaches during peak periods. The school has engaged with these matters and commissioned very detailed transport assessments/monitoring, sought advice from Oxfordshire County Council (in their role as the Local Highway Authority) and carried out public consultation which has included consideration of transport matters. Some of this work has informed a number of improvements (some of which have already been implemented by the school including no longer stopping coaches at the Plain but instead using public bus stops at St Clements and Iffley Road).

- 9.124 It should be noted that the proposed development has not been proposed to provide an increase in pupil numbers. This is clearly articulated in the submitted planning statement:

*Whilst the new building is slightly larger in size than the existing, the replacement building is being delivered to provide improved facilities rather than additional space. Pupil/staff numbers are constrained by other factors, separate to the size of this particular building and so will not increase as a result of the proposals.*

(Extract from submitted planning statement, Bidwells, August 2025)

- 9.125 It is acknowledged in the submitted planning statement (and elsewhere in the submissions) that the proposed development would involve an increase in the number of visitors to the school to use the proposed Partnerships Programme facilities. Officers are satisfied that this represents a relatively small increase in visits and these would likely take place outside of peak times and therefore have minimal impact on traffic in the locality.

- 9.126 Whilst officers are satisfied that the proposed development would not materially impact on trip generation or highway safety during the operational phase of the scheme directly as a result of the proposed development it should be noted that a number of improvements can be secured or have already been implemented on the site as detailed in the submitted planning statement:

*The School acknowledges that being located at The Plain Roundabout, and responsible for the generation of a high amount of footfall within the vicinity, it has an obligation to implement proportionate measures to ease any traffic issues relating to the School operation. As such, and informed by the consultation process, Magdalen College School has committed to ensuring its coaches only drop-off / pick-up from dedicated bus stops. This commitment is included in the Schools updated Travel Plan, submitted in support of this application.*

*Furthermore, the generous landscaping scheme along the Iffley Road frontage and the new entrance area will provide a safe waiting area for pupils to accumulate prior to boarding the bus at the end of the day to enable more efficient pick-ups.*

(Extract from submitted planning statement, Bidwells, August 2025)

- 9.127 Officers consider that the proposed changes and improvements including travel monitoring are beneficial in planning terms. The travel planning requirements that have been advised by the County Council can be secured by legal agreement which would allow monitoring and improvements to be made as part of that process.
- 9.128 In reaching a recommendation that the proposed development would not lead to an adverse impact on highway safety in the locality officers have reviewed tracking and servicing information provided with the application. The application site can be serviced from the central playground space with use of the existing vehicular access on Cowley Place.
- 9.129 The County Council as the Local Highway Authority have not objected to the proposal; it should be noted that additional information was provided to the County Council following objections that were initially raised with respect to this application. These objections have been removed and conditions were suggested which are included in the recommendations in this report.
- 9.130 The proposed development would give rise to impacts during the construction phase of the proposed development. Following comments and objections from local residents a number of changes were made to the submitted construction traffic management plan to restrict the deliveries being made to the proposed development during peak times. Officers have included a condition in the recommendation that would seek a revised construction traffic management plan; consultation and approval of this document would be carried out in consultation with the County Council Highways Team.
- 9.131 During the construction phase of the proposed development it would be necessary to create a new access area onto Cowley Place; this is not a classified road and so planning permission to create the access would not strictly be required. Officers consider that this approach, which can be detailed and agreed as part of the aforementioned Construction Traffic Management Plan would be acceptable in principle.
- 9.132 The proposed development would involve the relocation of existing cycle stores to the side and rear of the existing Science Building. These are proposed to be relocated in the centre of the site and adjacent to existing buildings; some of these spaces would be covered as is the case for some spaces currently. Officers consider that this aspect of the proposal would be acceptable though a condition is included in the officer recommendation that

would seek final details of cycle parking to be provided prior to the commencement of the development if planning permission is granted.

- 9.133 The proposed development would not involve any additional car parking or operational car parking; as suggested above the site is already served by an existing entrance onto Cowley Place. Officers consider that this application is acceptable in terms of the impact on parking in the locality and complies with the requirements of Policy M3 of the Oxford Local Plan (2036).
- 9.134 The proposed development would be acceptable in terms of its impact on highway safety, parking and infrastructure. The proposals would not lead to a material increase in trip movements associated with the school; despite this a number of improvements have been put forward by the applicant as part of their commitment to reducing car movements associated with the school and this can be safeguarded by condition and legal agreement as set out above. On this basis the proposed development would meet the requirements of Policies M1, M2, M3, M5 and RE7 of the Oxford Local Plan (2036) and Paragraphs 116, 117 and 118 of the NPPF.

## **IX. Air quality and Health Impact Assessment**

- 9.135 Policy RE5 of the Oxford Local Plan 2036 states that planning applications for major proposals, the Council will require a Health Impact Assessment to be submitted, which should include details of implementation and monitoring. This must provide the information outlined in the template provided at Appendix 4 of the Oxford Local Plan (2036).
- 9.136 Policy RE6 of the Oxford Local Plan 2036 states that planning permission will only be granted where the impact of new development on air quality is mitigated and where exposure to poor air quality is minimised or reduced. Additionally, applications for major proposals (10 or more dwellings or 1000 square metres) which would carry a risk of exposing individuals to unacceptable levels of air pollution must be accompanied by an Air Quality Assessment (AQA). Where the Air Quality Assessment indicates that a development would cause harm to air quality, planning permission will not be granted unless specific measures are proposed and secured to mitigate those impacts.
- 9.137 The application has been submitted with an air quality assessment and other documents relevant to the requirements of Policy RE6 of the Oxford Local Plan (2036). Based on the information submitted officers recommend that pollutant concentrations at the application site are predicted to be below the relevant Air Quality Objectives (AQOs) and as such additional mitigation is not required for the operational phase. Air quality should therefore not be viewed as a constraint to planning, and the Proposed Development conforms to the requirements of Policies RE5 and RE6 of the Oxford Local Plan (2036) subject to conditions relating a Construction Environmental Management Plan and details of flues (for the science laboratories) which are included in the officer recommendation.



## **X. Land Quality**

- 9.138 The submitted geo-environmental report indicates that the potential contamination risks at the site are low to moderate with regards to soil contamination, ground gas and risks to groundwater. Officers have noted that the data is fairly limited and there are no definitive conclusions provided with regards to what remediation may be required at the site to mitigate against the potential contamination risks identified.
- 9.139 The report makes the assumption that hardstanding is proposed across all made ground areas, which is incorrect. Potential occupier exposure risks in areas of made ground would need to be addressed where soft landscaping is proposed at the site but this can be resolved by condition.
- 9.140 It is recommended that further ground gas monitoring occurs to confirm the ground gas regime at the site, unless the requisite risk rating is adopted as a precautionary approach and appropriate gas protective measures are incorporated into new buildings.
- 9.141 It is understood that further monitoring is due to occur at the site together with the production of a Remediation Method Statement. Officers consider that this is acceptable and that the development is acceptable in the context of Policy RE9 of the Oxford Local Plan (2036).

## **XI. Other Matters**

### *Consultation*

- 9.142 It is a requirement for major planning applications to be subject to engagement and consultation with the local community. Officers are satisfied that a number of consultation events were carried out with staff, pupils and parents of the school as well as local councillors and residents. The consultation events that were carried out took place in two phases where feedback from the first set of events led to modifications to the scheme. The application has been subject to pre-application involvement with officers and specialists across the Council and the Oxford Design Review Panel (ODRP). As a result, the submission of the application aligns with the requirements of the Council's Statement of Community Involvement (SCI) and Paragraphs 40-47 and 100 of the NPPF.

### *Section 149 of the Equalities Act (2010)*

- 9.143 Aspects of the proposed development would improve areas of the public realm and accessibility to parts of the site. The proposed development includes improvements to accessibility within the school site (notably by improving access compared with the existing Science Building but also the adjacent Colin Sanders Building). These accessibility enhancements would be particularly beneficial to people with reduced mobility. Officers have had

regard to these aspects of the proposed development and in reaching a recommendation to grant planning permission have had due regard to the proposals in line with the requirements of Public Sector Equality Duty set out in Section 149 of the Equalities Act (2010).

### *Best Interests of the Child*

- 9.144 Article 3.1 of the United Nations Convention on the Rights of the Child provides that “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration”. Section 11 of the Children Act 2004 requires Local Authorities to, “make arrangements for ensuring that...their functions are discharged having regard to the need to safeguard and promote the welfare of children...”
- 9.145 Article 3 and the Children Act 2004 principle of the ‘best interests’ of the child are accepted that in planning decisions concerning children. Planning case law says that their best interests must be of primary importance, and that planning decisions ought to have regard to that principle. This principle is a material consideration in planning decisions where Article 3 and Section 11 of the Children act are engaged. As outlined in the above report the education, safety and welfare needs of children, particularly those attending Magdalen College School have been carefully considered. The provision of statutory education has been considered to be a public benefit; other aspects of the development involve improvements that would benefit children attending the school.
- 9.146 Representations have been received and carefully considered that relate to the requirements of education and impact on the assessment of whether the proposals are in the ‘best interest’ of the child. Officers recommend that the requirements as set out above have been met as part of the consideration of this application.

## **10. CONCLUSION**

- 10.1 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.
- 10.2 Officers recommend that it would be acceptable to grant planning permission for planning permission for the proposed demolition of the existing Science and partial demolition of the 1928 Building, erect the new three storey Science, Library and Partnership Building, alter the Colin Sanders and Quinn Building, carry out the landscaping scheme and install the new cycle storage as set out in the application (reference 25/02092/FUL).

- 10.3 The proposals would be acceptable in principle, design, heritage and amenity terms. Other relevant considerations including the impact of the development on archaeology, flooding and drainage, ecology and highways can be adequately addressed by conditions as set out below.
- 10.4 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.
- 10.5 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.
- 10.6 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.
- 10.7 It is recommended that the Committee resolve to grant planning permission for the development proposed subject to conditions and a legal agreement with draft wording following the established wording used by the County Council for travel plan monitoring and with the final wording of the conditions and a legal agreement delegated to the Director of Planning and Regulation.

## **11. CONDITIONS**

### **Time Limit**

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

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

### **Build In Accordance with Approved Plans**

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

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

### **Materials – Samples**

- 3 Prior to the commencement of above ground works (excluding demolition) details of the materials to be used in the external construction of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a schedule of the bricks to be used in the external construction of the walls of the building and boundary treatments, slates to be used for the roof, metalwork, curtain walling, vents, rainwater goods and slabs to be used for hard surfacing of any areas including the landscaped areas and path separating the entrance and Iffley Road. At the discretion of the Local Planning Authority samples of bricks, sample panels of bricks (including mortar), and sample panels of any brick detailing shall be made available for inspection on site by officers of the Local Planning Authority. Only the approved materials shall be used in the external construction of the approved development.

Reason: In the interests of the visual amenity of the area and to ensure that the development is acceptable in terms of its impact on the St Clements and Iffley Road Conservation Area as required by Policies DH1, DH2 and DH3 of the Oxford Local Plan (2036).

### **Further Details – Windows**

- 4 Notwithstanding the requirements of Condition 3 prior to the commencement of above ground works (excluding demolition) large scale detailed plans shall be submitted to and approved in writing by the Local Planning Authority showing the design, method of opening (where applicable) and materials to be used in the construction of the windows including details relating to the frames, surrounds, mullions and transoms. The submitted details shall include section drawings showing the thickness of the proposed windows. All windows shall be installed in accordance with the approved details.

Reason: In the interests of the visual amenity of the area and to ensure that the development is acceptable in terms of its impact on the St Clements and Iffley Road Conservation Area as required by Policies DH1, DH2 and DH3 of the Oxford Local Plan (2036).

### **Demolition – Building Recording**

- 5 Prior to the demolition of any part of the 1928 building a detailed historic building record shall be undertaken to a level III standard; this shall include an internal and external inspection of the building with relevant photographs and notes. The completed historic building record shall be submitted to the Local Planning Authority for the Council's archive and onward deposit to the Centre for Oxfordshire Studies, or its equivalent.

Reason: In the interests of recording the 1928 building as a non-listed building in a Conservation Area that has some significance in the context of Policies DH3 and DH5 of the Oxford Local Plan (2036) and Paragraph 216 of the NPPF.

### **Making Good – 1928 Building**

- 6 Within three months of the partial demolition of the 1928 building (as shown on the approved plan, drawing no. PD-0500) the alterations to the roof and north-west elevation shall be modified in accordance with the approved plan (drawing no. PD-0600).

Reason: In the interests of the visual amenity of the area, the St Clements and Iffley Road Conservation Area and the significance of the 1928 building as required by Policies DH3 and DH5 of the Oxford Local Plan (2036) and Paragraph 216 of the NPPF.

### **Making Good – Quinn Building**

- 7 Within three months of the partial demolition of the Quinn Building (as shown on the approved plan, drawing no. PD-0520) the alterations to the north-west elevation shall be modified in accordance with the approved plan (drawing no. PD-0620).

Reason: In the interests of the visual amenity of the area, the St Clements and Iffley Road Conservation Area as required by Policies DH3 and DH5 of the Oxford Local Plan (2036) and Paragraph 216 of the NPPF.

### **Use of Building**

- 8 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any order amending, replacing or re-enacting those provisions the approved development shall be used for the provision of education as set out in F.1(a) of Part B, Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In the interests of ensuring that the development provides statutory education as a public benefit that outweighs any harm arising from the development in accordance with the requirements of Policy DH3 of the Oxford Local Plan (2036) and Paragraph 215 of the NPPF.

### **Partnerships Programme**

- 9 Prior to the first use of the approved development a Partnerships Statement setting out the terms by which statutory education is to be enhanced across Oxford as a result of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The Partnerships Statement shall include a detailed Partnerships Programme which shall include as a minimum:

- an invitation to all primary schools in the OX4 area to participate in a rotating programme at the application site with a minimum of 12-13 hours and 90 pupil places for Science, Technology, Engineering and Mathematics (STEM) workshops in a typical week.
- one laboratory within the building is to remain a dedicated partnership lab to be used for the Partnership Program.

The approved Partnerships Statement and detailed Partnerships Program shall be implemented within twelve months of the first use of the approved development. The requirements of the approved Partnerships Statement shall be continued in accordance with all the details set out and shall only be varied or the Partnerships Program altered with the express written consent of the Local Planning Authority.

Reason: In the interests of ensuring that the development provides statutory education across Oxford as a public benefit that outweighs any harm arising from the development in accordance with the requirements of Policy DH3 of the Oxford Local Plan (2036) and Paragraph 215 of the NPPF.

### **Energy and Sustainability Statement**

- 10 The approved development shall include the implementation of the submitted Energy and Sustainability Statement (J7342-MXF-XX-XX-RP-J-50003 Rev P03 dated July 2025) Including all requirements relating to energy performance, on-site energy generation and resource use.

Reason: In the interests of ensuring that the development meets the requisite energy performance and on-site generation requirements of Policy RE1 of the Oxford Local Plan (2036).

### **Landscape Masterplan**

- 11 Notwithstanding the approved details of the landscape masterplan a detailed landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. It shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The plan shall correspond to a schedule detailing species, plant numbers, sizes and nursery stock types. The details shall demonstrate the feasibility of the reported outputs of the Tree Canopy Cover Assessment in terms of tree species selections.

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

### **Landscaping – Implementation**

- 12 The landscaping proposals as approved by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or

first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

### **Landscaping – Loss of Trees and Replacement**

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

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

### **Arboricultural Method Statement**

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

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

### **Tree Protection Measures**

- 15 No development, including demolition or enabling works, shall take place until a Tree Protection Plan (TPP) has been submitted to, and approved in writing by the Local Planning Authority. The TPP shall include such details as are appropriate for the protection of retained trees during development, and shall where appropriate be in accordance with the current BS. 5837: "Trees in Relation to Design, Demolition and Construction - Recommendations" unless otherwise agreed in writing by the Local Planning Authority. The TPP shall include a scale plan indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. The approved physical protection measures shall be in place

prior to the commencement of any development, including demolition or enabling works, and shall be retained for the duration of construction, unless otherwise agreed in writing beforehand by the Local Planning Authority. The Local Planning Authority shall be informed in writing when physical measures are in place, and a photographic record demonstrating compliance will be submitted to the Council prior to the commencement of development. No works or other activities including storage of materials shall take place within designated Construction Exclusion Zones unless otherwise agreed in writing beforehand by the Local Planning Authority.

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

#### **Arboricultural Monitoring Programme**

- 16 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 Local Planning Authority at scheduled intervals in accordance with the approved AMP.

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

#### **Archaeological Investigation – Trenching at Big School**

- 17 Prior to the commencement of the approved development a detailed scheme of archaeological investigation shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme of archaeological investigation shall as a minimum include the following requirements:

- Trial trenching within the vicinity of Big School and specifically within the areas proposed for landscaping (as set out in the submitted plan, Additional Planting for Biodiversity Net Gain (Drawing No. 12\_03\_05)).
- A detailed investigation of the findings of the trial trenching with a view to understanding the significance of any remains of any civil war ramparts, earthworks or defensive structures on the application site.

A report setting out the findings of the approved archaeological investigation shall be submitted to the Local Planning Authority prior to the commencement of development. On receipt of the archaeological investigation the Local Planning Authority shall indicate at their discretion whether a revised landscaping scheme is required and which specifically precludes the additional planting within the vicinity of Big School (as set out in the submitted plan, Additional Planting for Biodiversity Net Gain (Drawing



No. 12\_03\_05)). The development shall not commence until a written indication from the Local Planning Authority whether or not the landscaping scheme as submitted (Drawing NO. 12\_03\_05) can be carried out or an alternative scheme of landscaping that omits the planting in the vicinity of Big School has been approved.

Reason: In the interests of preserving archaeology on site having had regard to the potential for significant civil war remains on the site as required by Policy DH4 of the Oxford Local Plan (2036).

### **Trial Trenching**

- 18 No development shall take place other than demolition to ground floor slab level until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority in writing for 1) post demolition (to ground level only) trial trenching and 2) archaeological excavation. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including early medieval and Civil War remains as required by Policy DH4 of the Oxford Local Plan (2036).

### **Foundation Design**

- 19 No development shall take place until a detailed design and method statement for the extent and design of all foundation and groundwork has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only take place in accordance with the detailed scheme agreed pursuant to this condition.

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including early medieval and Civil War remains as required by Policy DH4 of the Oxford Local Plan (2036).

### **Ecology – Time Limit**

- 20 If the development hereby approved does not commence by February 2027, further ecological survey(s) should be considered, in accordance with

Chartered Institute of Ecology and Environmental Management (CIEEM) Advice Note on the Lifespan of Ecological Reports and Surveys 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 through professional validation or additional surveys. The results of professional validation and/ or the survey(s) shall be submitted to the local planning authority. Where validation and/ or 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).

### **Construction Ecological Management Plan**

21 Prior to the commencement of development (including ground works and vegetation clearance) a Construction Ecological Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. Identification of "biodiversity
- c. protection zones".
- d. Practical measures (both physical measures and sensitive working practices)
- e. to avoid or reduce impacts on biodiversity during construction (may be provided as set of method
- f. statements).
- g. The location and timing of sensitive works to avoid harm to biodiversity features.
- h. The times during construction when specialist ecologists need to be present on site to oversee
- i. works.
- j. Responsible persons and lines of communication
- k. The role and responsibilities on site of
- l. a qualified ecological clerk of works (ECoW) or similarly competent person.
- m. Use of protective fences, exclusion barriers and warning signs where required.

The approved CEMP shall be adhered to and implemented throughout the site preparation and construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The prevention of harm to species and habitats within and outside the site during construction in accordance with Policy G2: Protection of biodiversity and geo-diversity of the adopted Oxford Local Plan 2036.

### **Precautionary Working Method Statement**

- 22 Prior to undertaking works a precautionary working method statement (PWMS) shall be submitted to and approved in writing by the Local Planning Authority. The PWMS shall be provided by a suitably qualified and experienced ecologist and shall be applicable to buildings B2, B3 and B6 (as identified in Figure 1.1 of the submitted high level ecology assessment, August 2023).

*Prior to the partial demolition of the 1928 building commencing and only if demolition of the building section is to be carried out between April and October a dusk emergence survey shall be carried out. This survey shall be carried out in line with BCT Best Practice and ensure that both the building section to be demolished and adjacent structure is satisfactorily covered by surveyors and Night Vision Aids.*

*The results of the survey, including methodology, surveyor location and results shall be submitted to the Local Planning Authority prior to the demolition commencing.*

*The submitted PWMS shall appropriately address the risk of impacting adjacent features and creating new potential features following demolition of the northern section of the 1928 Building.*

*Should any bats or evidence of bats be encountered at any time during the works, all activity in the immediate area shall cease, and a qualified ecologist holding a Natural England bat licence) shall be contacted to advice on further actions and a licence sought, before works may recommence.*

Additionally, the PWMS shall include: Bat protection procedures (i.e. what to do if bats are discovered/ at risk of disturbance); Timing of works to avoid periods roosting bats may be present; Toolbox talk covering prevention of disturbance, mitigation and enhancement for construction staff; Use of soft demolition techniques when removing roof materials and other areas containing potential roost features, and; Placing of any enhancement measures (bat boxes, tiles, bricks, etc). The approved development shall be built in accordance with the requirements of the approved PWMS.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 187(d) of the National Planning Policy Framework and Policy G2 of the Oxford City Council Local Plan 2036 (2020).

### **Biodiversity Enhancements**

- 23 Prior to occupation of the development, at least 3 bat roosting devices (bat roof tile/slate and/ or bat brick) suitable for cavity roosting bats shall be

installed on each of the buildings B2, B3 and B6 by being positioned at a height of 3-6 metres in an open location, with a clear flight path to and from the entrance, away from and unlit by artificial light and not above any windows, placed in a sunny position (6-8 hours of direct sunlight, or in a location where it receives the morning sun). If this is not possible, then a bat brick close to the eaves or apex of a gable end on the building in a south-south westerly direction. Where bat roof tiles/ slates are positioned the roof felt used in the roof will be bitumen felt type 1F to avoid entanglement of bats. The approved measures shall be incorporated into the scheme and shall be installed under the guidance of a suitably qualified ecologist prior to completion of the development and retained thereafter. Proof of installation (photo, site visit invitation, etc) shall be submitted to and approved in writing by the Local Planning Authority no later than 12 months following installation.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 187(d) of the National Planning Policy Framework and Policy G2 of the Oxford City Council Local Plan 2036 (2020).

### **External Lighting Strategy**

- 24 Prior to occupation, a lighting design strategy for bats in accordance with Guidance Note 08/23 Bats and Artificial Lighting at Night, Bats Conservation Trust and Institute of Lighting Professionals, and using an Ecological Constraints and Opportunities Plan (ECOP), shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging/ commuting on the ECOP; and
- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places (overlaid on ECOP).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy (as advised by Guidance Note 08/23), and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 187(d) of the National Planning Policy Framework and Policy G2 of the Oxford City Council Local Plan 2036 (2020).

### **Ecological Enhancements (Biodiversity Net Gain)**

- 25 Prior to the first use of the approved development evidence shall be submitted to demonstrate that the ecological enhancements are in place as detailed within the approved Ecological Enhancements Plan. Photos shall be submitted to support the compliance of the ecological enhancement measures.

Reason: To enhance biodiversity in Oxford City in accordance with paragraph 187 of the National Planning Policy Framework.

- 26 Prior to the commencement of the approved development a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

Shall be submitted to and approved in writing by the local planning authority.

Notice in writing shall be given to the Local Planning Authority when the:

- (f) HMMP has been implemented; and
- (g) habitat creation and enhancement works as set out in the [HMMP] have been completed.

No occupation shall take place until:

- (a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- (b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

### **Piling Method Statement**

- 27 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 water infrastructure, and the programme for the works) 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 in consultation with Thames Water unless first approved in writing by the Local Planning Authority.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure in accordance with policy RE4 of the Oxford Local Plan.

### **Site Investigation – Attenuation Tank**

- 28 Prior to the commencement of the approved development a detailed site investigation for the purposes of assessing the ground conditions for their suitability for the installation of the proposed attenuation tank (as set out on Drawing No. 30910-PAM-XX-XX-DR-C-6001 REV P02) shall be submitted to and approved in writing by the Local Planning Authority. Where at the discretion of the Local Planning Authority the detailed site investigation suggests that the ground conditions are not suitable for the proposed attenuation tank then an alternative attenuation tank design shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development. The approved development shall be carried out in accordance with the approved attenuation measures as approved by the Local Planning Authority following the detailed site investigation, its conclusions and any amendments to its design agreed by the Local Planning Authority.

Reason: In the interests of ensuring that the development is acceptable in terms of its surface water drainage impacts and complies with the requirements of Policy RE4 of the Oxford Local Plan (2036).

### **Drainage Strategy Implementation**

- 29 With the exception of the attenuation tank and the requirements of Condition 28 prior to the first use of the approved development all aspects of the approved drainage shall be implemented on site in accordance with the submitted documents including the Flood Risk Assessment and Drainage Strategy Report (Price & Myers, 30910, rev 03).

Reason: In the interests of ensuring that the development has an acceptable impact in terms of the management of drainage and surface water as required by Policy RE4 of the Oxford Local Plan (2036).

### **Drainage Maintenance**

- 30 The approved sustainable drainage system shall be maintained in accordance with the approved SUDs Maintenance Plan (30910, rev 01, dated October 2025).

Reason: To manage flood risk, and provide a sustainable drainage strategy in accordance with Policy RE3 and RE4 of the Oxford Local Plan 2036

### **Noise Limit**

- 31 The noise emitted from the proposed installations located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound," with all machinery operating together at maximum capacity.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from plant/mechanical installations/equipment as required by Policy RE8 of the Oxford Local Plan (2036).

### **Anti-Vibration Measures**

- 32 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration as required by Policy RE8 of the Oxford Local Plan (2036).

### **Construction Environmental Management Plan**

- 33 Prior to the commencement of development, to include demolition, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, air quality, vibration, dust and waste disposal resulting from the site preparation, groundwork and construction phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Measures to minimise the impact on air quality should include HGV routes avoiding Air Quality Management Areas and avoid vehicle idling. The approved Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with policies RE6 and RE7 of the Oxford Local Plan 2036.

## **Construction Traffic Management Plan**

- 34 A Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. This shall identify;
- The 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 onsite 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.
  - 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 shall be outside network peak hours.

The approved construction traffic management plan shall be strictly adhered to throughout the construction phase of the approved development.

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 as required by Policies M1 and RE7 of the Oxford Local Plan (2036).

### **Travel Plan**

- 35 Prior to the first occupation of the development hereby permitted, evidence shall be submitted to the Local Planning Authority and approved in writing that a School Travel Plan has been prepared using Modeshift STARS which meets 'Approved' level accreditation.

The approved School Travel Plan shall be implemented adhered to within one month of the approval being given occupation of the development. The approved Travel Plan shall achieve Modeshift STARS 'Good' level accreditation within 12 months of occupation, and this shall be maintained for a minimum of five years from the date of approval.

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 and in order to meet the requirements of Policy M1 of the Oxford Local Plan (2036).

### **Cycle Parking**

- 36 Prior to the first use of the development details of the proposed cycle parking areas on the site, 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.

### **Phased Land Quality Investigation**

- 37 Prior to the commencement of the development a further element of risk assessment shall be carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Land Contamination Risk Management (LCRM) procedures for managing land contamination. Each phase shall be submitted in writing and approved by the local planning authority.

Once Phase 1 has been completed and approved a further element of investigation (Phase 2 investigation) shall be completed as necessary to more clearly characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals prior to the commencement of the approved development.

Once Phase 2 has been completed and approved a further element of investigation (Phase 3 investigation) shall be completed which requires that a remediation strategy, validation plan, and/or monitoring plan be submitted to and approved by the local planning authority to ensure the site will be suitable for its proposed use.

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

### **Remedial Work – Implementation**

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

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

### **Unexpected Contamination**

- 39 Throughout the course of the development, a watching brief for the identification of unexpected contamination shall be undertaken by a suitably competent person. 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 2016 - 2036.

### **Solar Panels**

- 40 Prior to the installation of the proposed solar panels details of the frames, supporting structures and the finish of the solar panels shall be submitted to and approved in writing by the Local Planning Authority. The approved solar panels shall be installed in accordance with these details.

Reason: To limit the impact on long distance views by ensuring that there are no visually distracting elements of the design of the solar panels and the

external finish reduces any glint and glare as required by Policies DH2 and DH3 of the Oxford Local Plan (2036).

## **Informatives**

### **Community Infrastructure Levy**

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: [www.oxford.gov.uk/CIL](http://www.oxford.gov.uk/CIL)

### **Biodiversity Net Gain**

2. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:
  - a. a Biodiversity Gain Plan has been submitted to the planning authority, and
  - b. the planning authority has approved the plan.The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Oxford City Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

### **3. Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.**

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
  2. the original planning permission to which the section 73 planning permission relates\* was granted before 12 February 2024; or

3. the application for the original planning permission\* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of [article 2\(1\) of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates\* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any

of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

### **Irreplaceable habitat**

4. If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

### **The effect of section 73D of the Town and Country Planning Act 1990**

5. If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

### **Protected Species**

6. 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 must stop immediately and advice sought**

**from a suitably qualified ecologist.** A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.

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

The Wild Mammals (Protection) Act 1996 (as amended) makes provision for the protection of wild mammals from certain cruel acts, making it an offence for any person to intentionally cause suffering to any wild mammal. In the context of development sites, for example, this may apply to rabbits in their burrows.

## **APPENDICES**

### **Appendix 1 – Site location plan**

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

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to [approve/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.

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

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

#### **13 RIGHTS OF THE CHILD**

The UN Convention on the Rights of the Child (UNCRC) outlines the fundamental rights of every child, regardless of their race, religion or abilities. The Convention has 54 articles that cover all aspects of a child's life and set out the civil, political, economic, social and cultural rights.. The UK ratified the UNCRC in 1991 making it binding under international law, however the UK does not automatically incorporate international treaties into domestic law. The principles of the UNCRC informed the Children Act 2004. As set out in the above report, in reaching a recommendation for approval, officers consider that the proposal will not undermine the rights of the child under the Convention and the Children Act.