

## Update to Agenda Item 5

**Oxford City Planning Committee**

21st April 2026

**Application number:** 25/01859/OUTFUL

**Decision due by** 5th November 2025

**Extension of time** 30th June 2026

**Proposal**

- i. Outline application (with all matters reserved save for "access"), for the demolition of existing buildings and erection of a graduate college for the University of Oxford comprising Student accommodation (Sui Generis), ancillary college buildings (Sui Generis), provision of landscaping, bin and cycle parking, car parking, public realm and open space.
- ii. Full application for demolition of existing buildings and partial demolition of existing walls, erection of a hospital building (Use Class C2), a research building (Use Class E(g)(ii)), a hospital research link building (C2/E(g)(ii)), and erection of relocated POWIC/SANE building (Use Class E(g)(i) and (ii)) and pavilion building. Provision of associated car parking, cycle parking, bin storage, access, landscaping, public realm works and associated infrastructure works. Refurbishment and repair of the Gate Lodge and use for residential accommodation associated with the College (Use Class Sui generis)

**Site address** Warneford Hospital, Warneford Lane, Oxford – see **Appendix 1** for site plan

**Ward** Churchill Ward

**Case officer** Chloe Jacobs

**Agent:** Becky Hartley      **Applicant:** Oxford Health NHS Foundation Trust

**Reason at Committee** Major Development

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### Minor corrections:

Since the publication of the committee agenda and reports on the 13<sup>th</sup> April 2026, the following corrections and updates have been made:

- Within the recommendation in paragraph 1.1.2 (Page 20) the amended plans list should include: '*the retained trees T245 within Zone 2 and T65 within Zone 1. Including any updates to any related architectural, parameter or landscape plans which show these elements*'.
- In paragraph 9.8 (Page 36) this should read that the *original response* from Cheney School objects to this application. As this goes on to say at paragraph 9.14 (Page 21) a second letter from the school was received *which removed their objection* as the revised designs to the Gypsy Lane / Warneford lane junction are made (a variation on a CYCLOPS junction) as this would be a net benefit to the school.
- In paragraph 10.245 (Page 99) officers have referred to the parking levels for the commercial R&D car parking spaces should be stated *as 140 for 600 staff and visitors*. That aligns with the correct figures set out in the table at 10.258. Of the 140, c.8 would be visitor spaces, leaving 132 spaces for 600 staff, or a mode share of 22%
- Minor typo at 10.344 (Page 117) where officers have referenced 2024 for the proposed college development. This should read as *2034*.
- In paragraph 10.438 the public benefits states the development would be BREEAM Outstanding, this should state *BREEAM Excellent*

### Public Consultation:

Furthermore, the consultation period for this application following the latest round of public re-consultation expired yesterday on 21<sup>st</sup> April. Since the publication of the committee report and the end of the consultation period we have received 1 no. public comment from the Environment Agency who have advised they have no further comments to make.

A petition has also been circulated and submitted in opposition to the increase in parking at the Warneford site. This petition has received 478 signatures including 452 signatures are from residents of Oxford the other 26 signatures are from outside of Oxford. These comments reflect the objections which have been submitted during the course of this application and have therefore been considered within the content of the committee report.

#### Amendment to **Ecology and Biodiversity** section of report

We would add the following to the section on protected species section within the report for the avoidance of doubt.

##### *Bats*

The bat species identified in the Bat Activity Survey include common pipistrelle (*Pipistrellus pipistrellus*)-very common, Nathusius' pipistrelle (*Pipistrellus nathusii*)-rare and noctule (*Nyctalus noctule*)- common. These species are legally protected under the Wildlife and Countryside Act (1981), as amended; and the Habitats Regulations (2017) as European Protected Species. The presence of a protected

species that may be affected by the development is a material consideration in the determination of the planning application. Under the Habitats Regulations 2017 the local planning authority has a duty to have regard to the requirements of the Habitats Directive.

Similarly, there are the requirements under the Oxford City Council Local Development Plan 2036 (2020), Policy G2. In addition, Noctule is identified as a priority/ species of principal conservation importance under Section 41 of the Natural Environment and Rural Communities Act (NERC), 2006 as amended. The local authority Biodiversity Duty therefore applies to protecting and enhancing this species/ population.

In having regard to the Habitats Directive, when reviewing the application, the Planning Authority needs to consider:

a) Is there a real risk that harm to the protected species would occur if the proposed development described in the application is carried out?

b) If so:

1) Can the likely offence be avoided if appropriate preventative and/or mitigation measures are secured by planning conditions and/or through voluntary planning obligations?

Or, if not:

2) Can the three tests for a derogation be satisfied?:

a) There are no feasible alternative solutions to the development that are less damaging.

b) There are "imperative reasons of overriding public interest" (IROPI) for the development to proceed.

c) The proposal will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.

It is likely that there is a risk of harm to the three species present on the site. However, the location of all roost sites is yet to be determined, with surveys now approaching the limit of their lifespan in accordance with the CIEEM guidance. For noctule and common pipistrelle it is likely that an offence can be avoided through appropriate mitigation measures based on appropriate in date surveys. Attention is drawn to the presence of Nathusius' pipistrelle- a rare species in UK. For this species, the derogation could be applied, however, it should be noted that although rare in UK, the species is common in its entire European range and ranked as a species of least concern (IUCN Red List) over its wider range and that as a hospital, IROPI may also apply in respect to (b) and (c) of the derogation.

Officers are satisfied that the development meets the 3 tests. For the first test, the redevelopment of the site would comply with planning policy and provides public

benefits through the efficient use of an existing health care site for a mixed use development that will establish a new state of the art mental health facility providing primary health care for Oxfordshire and the region, along with a research centre for mental health and related disciplines, while also making a positive contribution to Oxford's housing need. Regarding the second test there would be no satisfactory alternative given this site has been allocated for development in order to deliver the strategic aims of the local plan. Finally, the third test would be met as the development will not be detrimental to the maintenance of the population of the species.

Given the bat species identified it was determined that there was a likelihood that European Protected Species Licences may be feasible for the site, but these will need to be determined on a building by building approach in accordance with accepted guidance (Collins 2023). In this case, Natural England Standing Advice with respect to planning conditions should be noted:

*'You should not usually attach planning conditions that ask for surveys. This is because you need to consider the full impact of the development proposal on protected species before you can grant planning permission. You can add an 'informative' note to the planning permission to make it clear that a licence is needed.*

*In exceptional cases, you may need to attach a planning condition for additional surveys. For instance, to support detailed mitigation proposals or if there will be a delay between granting planning permission and the start of development. In these cases a planning condition should be used to provide additional or updated ecological surveys to make sure that the mitigation is still appropriate. This is important for outline applications or multi-phased developments'.*

Given the extent of the site, the phasing of works, extended timeframes for the commencement and construction of the development and species identified, it is considered that planning condition(s) should be used to provide additional surveys in accordance with guidance (Collins 2023) and to ensure mitigation is appropriate and in accordance with the species found as this is a multi-phased development. Minded to ensure the need for up to date surveys in accordance with the phasing of works, the proposed conditions are in accordance with the exceptional case scenario contained with Natural England Standing Advice.

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