

Oxford City Planning Committee

25th August 2026

Application number:	26/00796/FUL		
Decision due by	29th June 2026		
Extension of time	4th September 2026		
Proposal	Change of use to capsule hotel (Use Class C1), alteration rooftop to include rooftop plant. Provision of cycle parking.		
Site address	Oxenford House, 13 - 15 Magdalen Street, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Carfax And Jericho Ward		
Case officer	Chloe Jacobs		
Agent:	Mr Thomas Hyem	Applicant:	C/o Agent
Reason at Committee	Major Planning Application		

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

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

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

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

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Director of Planning and Regulation considers reasonably necessary;
- finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of

terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning and Regulation considers reasonably necessary; and

- complete the Section 106 legal agreement referred to above and issue the planning permission.

2. EXECUTIVE SUMMARY

- 2.1. This report considers the change of use of the existing building to provide a capsule hotel (Use Class C1). The building would be occupied by Zedwell Hotels, a well-established operator known for delivering high-quality capsule, aparthotel and conventional hotel accommodation. The proposal would accommodate approximately 280 sleeping capsules. The change of use of the building would make best and most efficient use of the land and the loss of the ancillary place of worship is considered acceptable in principle in line with Policies V1, V2 and V7 of the Oxford Local Plan.
- 2.2. The application primarily involves internal alterations to the existing building to facilitate the proposed change of use. Planning permission is sought for an extension to the fourth and fifth floor roofspace to accommodate additional and improved plant rooms to allow for the essential operation of the hotel. The proposed rooftop plant screening subject to further design details which would be secured by condition are considered acceptable in design terms and would accord with Policy DH1.
- 2.3. Subject to a condition requiring further design details of the proposed plant screen, the proposed development would result in a neutral impact (i.e. no harm) to the significance of the Oxford Central (City & University) Conservation Area. The development would preserve the significance of the nearby listed buildings in the settings of which the site is located. In coming to this view great weight has been given to the preservation of the significance of these designated heritage assets and the higher duty placed on decision makers under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.4. There would be no significant adverse impacts with regard to residential amenities or adjacent uses as a result of overlooking, loss of privacy, overbearing, visual intrusion, loss of sunlight, daylight or overshadowing. Subject to conditions, the occupants of the proposed hotel would not experience any significant adverse impact in terms of noise and odour from the uses below. Equally, the proposed use as a hotel would not impact harmfully on the existing uses on levels below with regard to noise and odour experienced from these units (Agent of change principle). Subject to relevant conditions, the development would not have an adverse impact in relation to biodiversity, land quality, air quality, archaeology, drainage and transport.

- 2.5. In conclusion, subject to conditions set out at Section 12 of this report and prior to a legal agreement, the development would accord with the relevant policies of the Oxford Local Plan 2036, the policy framework set out in the NPPF and it would comply with the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Conservation of Habitats and Species Regulations 2017 (as amended) and is recommended for approval.

3. LEGAL AGREEMENT

- 3.1. This application is subject to a legal agreement seeking a contribution of £3,430 towards Travel Plan Monitoring.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for CIL.

5. SITE AND SURROUNDINGS

- 5.1. Oxenford House, built in 1965-6 by Fitzroy Robinson & Partners, is a five storey building situated in the Central Conservation Area. The front of the property extends over Friar's Entry to the south and benefits from a four storey outrigger to the rear which extends from the rear of the building along Friar's Entry to the west. To the east of the site lies Church of St Mary Magdalen (Grade I) and the Martyrs Memorial (Grade II*) and to the north of the sites lies The Oxford Cinema & Cafe and The Randolph Hotel (both Grade II listed). The site lies within the Historic Core Area of the city as defined in the Local Plan.
- 5.2. The building itself was constructed in 1965-66. Deemed a modern Brutalist style building, designed by Fitzroy Robinson and Partners, the façade was a striking addition to the streetscape, with textured concrete columns, broken up by dark grey glass curtain walling in horizontal bands and multiple regular metal-framed pivot windows. To the rear elevations, the building was clad in concrete with gault brick facings.
- 5.3. In 1968, the basement of Oxenford House was converted to a restaurant, now a vacant nightclub, and in 2007 the 2nd – 4th floors were converted from offices to non-residential educational use (former British Study Centres School of English, accessed from Friar's Entry and currently vacant). The first floor is occupied by the Oxford Centre for Hindu Studies, accessed from Magdalen Street. In 2009, the flat roof was approved as a terrace area and in 2017, the shop on the ground floor was approved for conversion to a restaurant and café (currently Five Guys).
- 5.4. The site includes the former Cinnamon Café on the ground floor at the Friar's Entry frontage, which is currently vacant. A lift overrun and plant equipment are located on the fifth floor.

5.5. See block plan below:

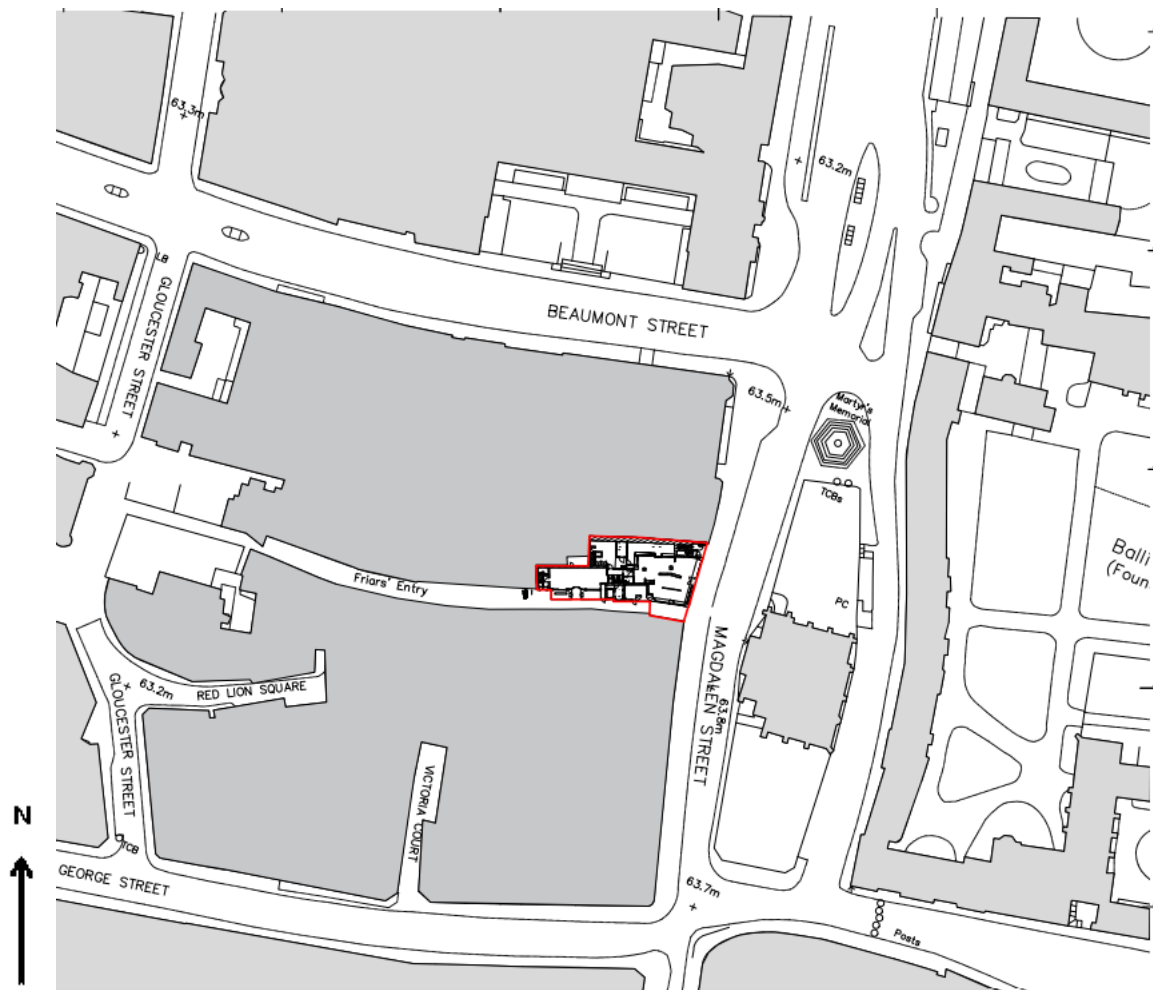


Figure 1: Existing Site Plan

© Crown Copyright and database right 2020.
Ordnance Survey 100019348

6. PROPOSAL

6.1. The application proposes the change of use of the first, second, third and fourth floors of the existing building to create a pod hotel (Use Class C1). The proposal would mainly include internal alterations to facilitate the proposed change of use. The proposed basement would remain unchanged, with the ground floor accommodating a new reception area, luggage storeroom, linen store and controlled lift access to the upper floors. The upper floors of the proposed development would provide approximately 276no pods spread across four floors, 2no. DDA compliant hotel rooms, WC facilities, showers and linen stores.

6.2. Planning permission is sought for an extension to the fourth and fifth floor roofspace to accommodate additional and improved plant rooms to allow for the essential operation of the hotel.

6.3. During the course of the application, amended plans have been received amending the internal floor plans to allow for separate male and female toilet and washing facilities and to provide for an all-female floor following consultation with Thames Valley Police. Revised plans have also been submitted amending the design of the proposed plant screen atop of the main building which fronts Magdalen Street.

6.4. The entrance to the proposed hotel would be located along Friar's Entry. Improvements to Friar's Entry have been secured as part of the S106 for a separate planning application (ref:25/01871/FUL) which relates to the Debenhams building and so improvements to the entrance have not been sought under this application. In any event, the proposal would seek to provide a new, enhanced hotel entrance with the provision of cycle parking.

7. RELEVANT PLANNING HISTORY

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

23/01482/FUL - Change of use of the first to fourth floors and part basement and ground floor to office use (Class E). Erection of a roof extension to the front elevation above fourth floor and a two storey roof extension to rear elevation above third floor. Internal and external alterations to allow level access and provide lift services to all floors. Provision of bin and cycle storage. Alterations to fenestration. (Amended Plans). APPROVED 5th February 2024.

23/01483/FUL - Change of use of the first to fourth floors and part basement and ground floor to provide 55no. en-suite student accommodation rooms (Sui Generis). Erection of a roof extension to the front elevation above fourth floor and a two storey roof extension to rear elevation above third floor. Alterations to basement to create plant area and bin storage. Formation of new entrance lobby to Friars Entry with reception, break out area and cycle storage. Alterations to fenestration. (Amended Description and Plans). APPROVED 30th April 2025.

8. RELEVANT PLANNING POLICY

8.1. The emerging Oxford Local Plan 2045 has been submitted to the Planning Inspectorate for Examination. The policies are a material consideration and align with the NPPF. The weight of these policies is limited at this time however weight given will increase as the Local Plan moves towards adoption.

8.2. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents and Neighbourhood	Emerging Local Plan 2045
-------	------------------------------------	------------	--	--------------------------

	k		d Plans:	
Design	96-108, 124-130, 131-141	RE2 -Efficient use of land DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing		HD1 - Principles of High-Quality Design HD2 - Making Efficient Use of Land HD6 - Views and Building Heights HD12 - Bin and Bike Stores and External Servicing Features S2 - High Quality Design
Conservation/Heritage	202-221	DH3 - Designated heritage assets DH4 – Archaeological remains DH5 – Local Heritage Assets		HD3 - Designated Heritage Assets
Commercial		V1 - Ensuring the vitality of centres V2 - Shopping Frontages in the city centre V5 - Sustainable tourism		C1 - City, District and Local Centres C2 - Maintaining Vibrant Centres E5 - Hotel and short stay accommodation
Natural environment	187-201	RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface and groundwater flow RE9 - Land quality G2 - Protection of biodiversity geo-diversity		G3 - Provision of New Green and Blue Features – Urban Greening Factor G4 - Delivering Mandatory Net Gains in Biodiversity G5 - Delivering Onsite Ecological

		G7 - Protection of existing Green Infrastructure features G8 - New and enhanced Green and Blue Infrastructure Network Features		Enhancements G6 - Protecting Oxford's Biodiversity Including the Ecological Network G7 - Flood Risk and Flood Risk Assessments (FRAS) G8 - Sustainable Drainage Systems R5 - Water Resources and Quality R6 - Soil Quality R7 - Land Contamination
Transport	109-118	M1 - Prioritising walking, cycling, and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle Parking	Parking Standards SPD	C6 - Transport Assessments, Travel Plan and Service and Delivery Plans C7 - Cycle and Powered Two Wheelers Parking Design Standards C8 - Motor Vehicle Parking Design Standards
Environmental	96-108, 124-130	RE1 - Sustainable design and construction RE5 - Health, wellbeing, and Health Impact Assessments RE6 - Air quality	Energy Statement TAN	G9 - Resilient Design and Construction R1 - Net Zero Buildings in Operation R2 - Embodied Carbon in

		RE7 - Managing the impact of development RE8 - Noise and vibration		Construction R3 - Retro-Fitting Existing Buildings R4 - Air Quality Assessment and Standards R8 - Amenity Impacts of Development HD7 - Health Impact Assessment HD8 - Privacy, Daylight and Sunlight
Miscellaneous	7-14	V8 - Utilities S1 - Sustainable development DH7 - External servicing features and stores		I1 - Digital Infrastructure to Support New Development HD12 - Bin and Bike Stores and External Servicing Features

8.3. Other relevant documents and considerations:

- Town and Country Planning Act 1990
- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance
- Historic Environment Good Practice Advice in Planning Note 3: 'The Setting of Heritage Assets (Second Edition)'
- The Central Conservation Area Conservation Appraisal

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 15th April 2026 and an advertisement was published in The Oxford Times newspaper on 16th April 2026.

9.2. It was noted that the application had been incorrectly advertised as a minor application and as such the application was re-advertised as a major planning application on 13th May 2026 and an advertisement was published in The Oxford Times newspaper on 14th May 2026.

Statutory and non-statutory consultees

9.3. Summary of comments received:

Historic England

9.4. No comments to make in respect of this application.

Oxfordshire County Council – Highways Authority

9.5. No objection subject to S106 contributions towards travel plan monitoring and planning conditions securing details of an operational management plan, a travel plan, a construction traffic management plan and a delivery and servicing management plan.

Oxford Civic Society

9.6. While we have no objections to the proposal we do have a number of comments which should be addressed prior to any decision:

1. We do not see any provision of accessible rooms within the floor plans
2. While one lift complies with the minimum requirements 2 might be considered a preferable option.
3. The proposed location for the entrance is on Friars Entry which is currently a well used public walkway between Gloucester Green and Magdalen Street. It will be essential that the design of the entrance is appealing and the walkway improved by the removal of temporary structures and also better lit.

St John Street Area Residents' Association

9.7. Pleased to see the building brought back into full use and the badly neglected corner of the City Centre Conservation Area tidied up. However, the association has the following comments which need addressing:

Lack of information

- Areas on the floor plan are simply labelled 'plant' with no further information. Details of the plant needs to be provided to assess appearance of these within the Conservation Area and impact on neighbouring properties.
- No definitive proposals for how the application would meet the Council's sustainability requirements.
- No indication of the treatment of windows which could have a substantial impact on the appearance of the building from the outside.
- Internal lighting might have a glaring effect and the use of blinds would make the building appear 'dead'.

Facilities for users

- There is no evidence of basic facilities for users e.g. vending machines.
- Users are likely to heavily depend on takeaway and eateries which would result in increase in littering.
- Waste bins should be provided around the site and details of arrangements for emptying wastebins should be provided.
- Only 1no. Lift is provided to serve all the floors.
- No evidence of appropriate facilities for disabled customers.

Supervision:

- Not clear if there would be any supervision apart from a reception area.
- Risk of criminality, fires, accidents etc.
- The entry is via a narrow and quiet Friars Entry which leads off Gloucester Green which has had past issues of crime and drug dealing.
- Friars Entry is unlikely to be overlooked outside of working hours.
- Advice from Thames Valley Police should be sought on how the area could be made safe and crime minimised and the applicant required by condition to follow police advice.

Impact on utilities:

- The development would result in high demand on services within large peaks in the evenings and early mornings. No information provided as to whether utilities have the capacity to handle these demands.
- The development should not be permitted until there is a full assessment of the capacity of drainage systems to ensure ample capacity to meet the demands of the development.

Thames Water

9.8. Thames Water would advise that with regard to the foul water network and surface water network capacities, would not have any objection based on the information provided.

Thames Valley Police

9.9. TVP have reviewed the submitted documentation and crime statistics for the local area and have engaged in significant consultation with the applicants. TVP confirm that they have no objection to the proposed application, subject to a number of conditions being placed upon any subsequent planning approval.

Public representations

9.10. 2no. letters of representation have been received in response to this application. These letters are both from an address in Hailsham, East Sussex.

9.11. In summary, the main points of objection were:

- The proposal is not good enough for the economic well-being of the city.
- The scheme doesn't relate to the wider Oxford context.

Officer response

9.12. These comments are considered within the relevant sections of the committee report below.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- a) Principle of Development:
- b) Design and Heritage
- c) Amenity – Privacy, Appearing Overbearing and Loss of Sunlight/Daylight
- d) Amenity - Noise
- e) Transport
- f) Flood Risk and Drainage
- g) Sustainable Design and Construction
- h) Biodiversity
- i) Land quality
- j) Air Quality
- k) Utilities

a. Principle of development

10.2. The proposal seeks to change the use of the upper floors to create a pod hotel (Use Class C1).

Loss of existing uses

10.3. The application site is situated within the City Centre where it fronts onto Magdalen Street.

10.4. Magdalen Street is identified as a primary shopping frontage as defined by Policy V2 of the Oxford Local Plan 2036. Policy V2 allows for development of upper storeys for housing, student accommodation and other uses appropriate to a town centre as long as the functioning of the ground floor unit(s) in the shopping frontage is not undermined.

10.5. Policy C2 of the Emerging Local Plan 2045 allows for development of upper storeys for housing, student accommodation and other uses appropriate to a town centre as long as the functioning of the ground floor unit(s) in the shopping frontage is not undermined.

- 10.6. The proposal seeks to retain the existing uses at ground floor which would fall with Use Class E and would therefore be acceptable in principle.
- 10.7. The first floor of the building is currently occupied by the Hindu Study Centre which is claimed to be an educational use with ancillary worship/prayer. The loss of the existing use as a private educational institution (cultural studies centres and English language schools) would not be resisted in local plan policy terms, providing that it can be evidenced that there is no substantial loss of a place of worship (Policy V7 of the Oxford Local Plan 2036 and C3 and C4 of the Emerging Local Plan 2045). Under a previous approval at the site (23/01483/FUL) officers considered that as the place of worship was ancillary to the educational use, the loss of this use would be acceptable in this instance. With this in mind, it is considered that the loss of the existing use of the first floor is acceptable in principle.
- 10.8. As for floors 2, 3 and 4 of the building, these were permitted to change use from an office to a language school (Use Class F1a) under application 07/02328/FUL. It is understood that this use was implemented and thus the existing lawful use of these upper floors. This use is not protected by Oxford City Council planning policy and therefore there is no objection to the loss of the language school.
- 10.9. Therefore, in accordance with Policy V2, the development of upper storeys for other uses appropriate to a town centre (including hotels) is considered acceptable in principle.

Proposed hotel use

- 10.10. Policy V1 of the Oxford Local Plan states that planning permission will be granted for the development of town centre uses (retail, leisure, entertainment, office, arts, culture and tourism) within the defined city, district and local centre boundaries, provided the use is appropriate to the scale and function of each centre and reflects its distinctive character. Policy V1 accounts for tourist uses including hotel accommodation. Main town centre uses are also defined within the NPPF which includes hotels. The proposed use of the site as a hotel would maintain an appropriate use within the City Centre and is therefore considered acceptable under Policy V1.
- 10.11. Policy C1 of the Emerging Local Plan 2036 states that within the city, new Use Class E and other main town centre uses will be permitted where compatible with other policies in the plan. The permitted uses includes short stay accommodation (where also in accordance with Policy E5 and where compliant with the active frontages policy C2).
- 10.12. The upper floors of the building would be converted to create a pod hotel (Use Class C1) which is further considered under adopted Local Plan Policy V5. Policy V5 allows for new short stay accommodation where it meets all the following criteria:

- a) it is acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements;
- b) there is no loss of residential dwelling; and
- c) it will not result in an unacceptable level of noise and disturbance to nearby residents.

10.13. Policy E5 of the Emerging Local Plan 2045 states that planning permission will only be granted for new hotel and short stay accommodation (including changes of use) in the city centre, district centres, on sites allocated for that purpose and on Oxford's main arterial roads where there is frequent and direct public transport to the city centre.

10.14. With regard to adopted Policy V5, taking each point in turn:

10.15. The proposal is considered to be in a highly sustainable location being in the City Centre. It has access to the local bus network, pedestrian and cycle routes and is within walking distance of the railway station. The proposal would be car-free given its highly sustainable location and therefore would not result in any increase in traffic and/or vehicle movements other than for servicing and deliveries. The proposed development would therefore be acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements and would comply with point a. The impact on highways, parking etc is considered in more detail at section e) below.

10.16. There would be no loss of residential use on site as a result of the proposed development and therefore the proposal would comply with point b.

10.17. A Noise Impact Assessment has been submitted as part of the application and this considers that the proposal would be acceptable from an acoustic perspective subject to the implementation of mitigation recommendations. The level of noise emitted by the proposal and the proposed mitigation would be controlled by conditions. The on-site management and security would ensure that there would be no disturbance to neighbours from anti-social behaviour etc. It is considered that the proposal would comply with part c. Again the impact on noise is considered in more detail at section d) below.

10.18. In light of the above, it is considered that the proposal would comply with Policy V5 of the Oxford Local Plan 2036.

10.19. In terms of the Agent of Change Principle (Paragraph 200 of the NPPF 2025), officers need to ensure that the proposed development can be integrated effectively with the surrounding existing businesses and community facilities so that existing businesses and facilities do not have unreasonable restrictions placed on them as a result of development permitted after they were established. The effects of noise on the occupants

of the hotel from the ground and basement floor uses and surrounding uses needs to be carefully considered including any potential mitigation. As does the effects of noise from the hotel on the surrounding existing uses.

10.20. A submitted noise impact assessment assesses the impact of the outside uses on the internal building and concludes that future users would be protected from excessive external noise by way of adequate façade design. Likewise, it is not considered that the proposed hotel use would impact on the existing ground floor commercial units or neighbouring uses. In particular this is due the fact it has been demonstrated that occupants of the hotel would be protected from adverse noise impacts but also because this is already a vibrant City Centre location where a mixture of uses are able to operate effectively alongside each other. For example, there are already existing hotel uses nearby e.g. the Randolph and The Store which operate successfully alongside a variety of City Centre uses without hindrance or compromise given the existing vibrancy of the area.

10.21. In locational terms, the proposed use of the site for a hotel is considered acceptable in line with Policies V1 and V5 of the Oxford Local Plan and the proposals are considered to represent a positive use of a prominent city centre building, which would contribute to the overall vitality of the City Centre.

b. Design and impact on heritage

10.22. Policy DH1 of the Oxford Local Plan 2036 states that planning permission will only be granted for development of high-quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1

10.23. Policy DH2 of the Oxford Local Plan 2036 states that planning permission will not be granted for any building or structure that would harm the special significance of Oxford's historic skyline. The area within a 1,200-metre radius of Carfax tower (the Historic Core Area) contains all the buildings that comprise the historic skyline, so new developments that exceed 18.2 m (60 ft) in height or ordnance datum (height above sea level) 79.3 m (260 ft) (whichever is the lower) are likely to intrude into the skyline. Development above this height should be limited in bulk and must be of the highest design quality. 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.

10.24. Policy DH3 of the Oxford Local Plan 2016 states that planning permission will be granted for development that respects and draws inspiration from Oxford's unique historic environment (above and below ground), responding positively to the significance character and distinctiveness of the heritage asset, in this case a conservation area, and locality. For all planning decisions, great weight will be given to the

conservation of that asset and to the setting of the asset, where it contributes to that significance or appreciation of that significance. Where a development proposal will lead to less-than-substantial harm to a designated heritage asset, this harm must be weighed against the public benefits of the proposal, which should be identified by the applicant.

- 10.25. Policy DH5 of the Oxford Local Plan 2036 relates to non-designated heritage assets, which may be identified as such either through inclusion on the Oxford Heritage Asset Register (if outside of a conservation Area), identification in a conservation area appraisal, or through the planning process. It states that planning permission will only be granted for development affecting a non-designated heritage asset or its setting if it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development. Where harm would be caused, the decision maker must make a balanced judgement having regard for the significance of the asset and the extent of impact as balanced against the public benefits that may result from the development proposals.

Heritage significance

- 10.26. The application site lies in a prominent location on one of the principal streets within the Oxford Central (City & University) Conservation Area, adjacent to a major hub for public buses, and also lies within the immediate setting of several listed buildings including the Church of St Mary Magdalen (Grade I), the Martyrs Memorial (Grade II*), the Odeon Cinema and Randolph Hotel (both Grade II), and the listed buildings at Balliol College (Grade II).
- 10.27. The Oxford Central (City & University) Conservation Area comprises the historic core of Oxford, which up until the early 19th century was a relatively compact settlement centered on Carfax and extending only a short distance beyond the medieval walls. The central core encompasses an architectural history that spans nearly 1000 years, which includes some 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'. The early-19th century saw the expansion of the city into the suburban areas, creating what was referred to as 'Oxford's base & brickish skirt', following which late-19th and 20th century development subsumed the surrounding medieval villages to form the extent of Oxford City today.
- 10.28. The setting of Oxford's historic core makes an important contribution to its historical significance, with the city's character heavily influenced by its physical and topographical environment, and views from the surrounding hills providing views of the city's rich roofscape, spires and towers that have long been celebrated in art and literature. In views to and from the western hills, the landscape rises to Botley and Boars Hill, with the famed view over the city that inspired the poet Matthew Arnold to first write of Oxford's 'dreaming spires', which are contained within the Central Conservation

Area. The Thames, its tributaries and bifurcated streams are identified within this westerly view by the appearance of its riparian or river edge of trees and green that courses through the suburban edge and the river meadows of Hinksey.

- 10.29. Elevated viewpoints from designated and non-heritage assets within the historic centre contribute to heritage significance by providing opportunities to experience and appreciate the historic character of central Oxford and the architecture of individual historic buildings in short range views; and by illustrating the historic relationship between the city and its rural setting. Of particular importance are the views from the 'elevated panoramic viewpoints' identified in the Conservation Area Appraisal that are publicly accessible, which includes Carfax tower, Castle Mound, St George's Tower, St Mary's University Church, St Michael at the North Gate, the Sheldonian Cupola, and the Westgate terrace.
- 10.30. Oxenford House contributes positively to the character and appearance of the Central (City & University) Conservation Area as one of the few remaining mid-twentieth century buildings in the City Centre; the façade design is simple and well ordered, making it an excellent example of its time, and worthy of preserving. It is identified a 'positive contributor' in the adopted Conservation Area appraisal and is considered as a non-designated heritage asset. The fenestration and spandrel panels on its primary elevation contribute significantly to its character. Having said this, the adopted Central Conservation Area Appraisal identifies the large, flat rooflines of post-war buildings, with their lack of vertical accents or details, as detrimental to the historic skyline of the Conservation Area.
- 10.31. In distant views the existing site is visible from the 'Views from the North Eastern Hills' view cone at Elsfield and 'Views from the Eastern Hills' view cone at South Park. The site is not visible from the Western Hills, Thames Floodplain or South-East Oxford view cones.

Assessment of Impact

- 10.32. The proposal does not seek to alter the primary façade of the building as the 2023 scheme which sought to convert the building into student accommodation did. The retention of the principal elevation as existing is welcomed and would preserve the special character and appearance of the non-designated heritage asset.
- 10.33. The alterations proposed to the other elevations, including the new entrance along Friar's Entry are relatively minor in nature and would not adversely affect its significance as a non-designated heritage asset. In order to ensure a high quality of design, conditions have been requiring the submission and approval of further details relating to the materials, finishes and signage for the main entrance, bin store entrance and stair entrance along Friar's Entry.

- 10.34. The most substantial element of the proposed development involves the additions to the roof which would subsequently increase the overall height and prominence of the upper floors of the building and the rear wing projection. The proposal seeks to install plant equipment and screening atop of the main building fronting Magdalen Street and on top of the 4 storey rear wing projection. It is noted that the roof plant is significantly less prominent than the rooftop extensions approved under 23/01482/FUL and 23/01483/FUL which sought permission to change the use of the buildings to office space and student accommodation. However, officers raised concerns with regard to the proposed rooftop additions in that they did not adequately respond to the design and architectural language of the existing building. Amended plans have been received detailing a more articulated plant screen on top of the main roof of the building. Subject to a condition requiring further detailed drawings and material samples of the proposed plant screen, officers are of the opinion that the proposal would not adversely affect the significance of the non-designated heritage asset or views from within and out of the Conservation Area.
- 10.35. Due care has been given to the existing character of the building and context, in accordance with Policy DH1. The applicants supporting documents includes a detailed assessment of the impact of the development, including the impact of the rooftop plant screen on several key identified views. In distant views, Officers agree that the proposal would not alter the composition of the historical skyline of Oxford, as the scale of the proposed development is not of such magnitude to compete with the existing landmarks. The proposal would also not be visible from the street level except from in views along Friar's Entry however, in the context of what has previously been approved under 23/01482/FUL and 23/01483/FUL which sought for a much larger, rooftop extension to the building and the rear wing, and subject to condition requiring detailed designs of the proposed plant screen to be submitted and agreed in writing prior to installation, officers are therefore satisfied that the proposed additions, by reason of their massing, scale, size and siting would not cause harm to the setting of nearby listed buildings or the character and appearance of the conservation area and would not be harmful to the Oxford skyline.
- 10.36. Regard has been paid to paragraph 212 of the NPPF in reaching a decision. When applying the test outlined in paragraph 215, it is considered that the proposal would cause no harm to the significance of the conservation area and setting of nearby Listed Buildings. Therefore, the proposals would be acceptable in terms of their impact on these designated heritage assets.
- 10.37. In light of the above, having given great weight to the conservation of the designated heritage assets, it is considered that subject to conditions, the proposed development would result in neutral harm (i.e. no harm) to the

Conservation Area and setting of nearby Listed Buildings and would comply with the requirements of paragraph 212 and 215 of the NPPF. As a result, the proposals are considered to comply with the requirements of national and local planning policies in relation to the impact on designated heritage assets as required by section 16 of the NPPF and Policies DH1, DH2, DH3, DH4 and DH5 of the Oxford Local Plan 2036.

- 10.38. Special attention has been paid to the statutory test of preserving or enhancing the character and appearance of the 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. It has been concluded that the development would preserve the setting of nearby Listed Buildings and the character and appearance of the Conservation Area, and so the proposal accords with Sections 66 and 72 of the Act.

Secure by design

- 10.39. The National Planning Policy Framework 2024 (NPPF) states: “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience” (Paragraph 135(f), NPPF). This is echoed as a definition of high quality design in relation to policy RE1 of the Oxford Local Plan 2036.

- 10.40. Concerns were raised by Thames Valley Police regarding the nature and layout of the pods and the shared bathroom facilities and the increased opportunity for crime within the hotel. To address these concerns amended floor plans have been provided to show a female only floor and segregated bathroom facilities. Further hotel operation and management, CCTV, lighting and secure access details have also been requested by Thames Valley Police, and these have been secured via condition.

Archaeology

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

- 10.42. Policy HD5 of the Emerging Local Plan 2045 takes a similar approach and has limited weight at this time.
- 10.43. Paragraph 216 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 10.44. Paragraph 218 states that where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
- 10.45. This application is of interest because it involves localised groundworks within a former tenement of the northern suburb, that was likely established by the 12th century, if not before. An excavation at Nos 10-12 Magdalen Street by Cotswolds Archaeology in 2000 demonstrated the character of the tenement remains that might be anticipated in this location (deeper pits and wells cut into the natural gravel).
- 10.46. In this case, bearing in mind the small scale of the proposed works, in line with the advice in the National Planning Policy Framework, any consent granted for this application should be subject to a condition to secure an archaeological watching brief with a contingency for archaeological recording. Subject to this condition the proposal is considered to be acceptable in accordance with Policy DH4 of the Oxford Local Plan 2036.

c. Amenity – Privacy, Appearing Overbearing and Loss of Sunlight/Daylight

- 10.47. 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. Emerging local plan policy HD8 reinforces the existing local plan policy and as such carries limited weight at this time.
- 10.48. Policy RE7 of the Oxford Local Plan similarly affords protection to the amenity of surrounding uses, including non-residential uses. Emerging local plan policy R8 also reinforces the existing local plan policy and as such carries limited weight at this time.

Privacy and overlooking

10.49. The proposal would not involve the addition of any new windows or openings to the upper floors and as such there would be no new opportunities for any material increase in loss of privacy and or overlooking as a result of the proposed change of use.

10.50. Consideration is needed to be had for the approved development at Debenhams. The approved plans for the Debenhams building clearly show the single windows on the first, second and third floors in vertical alignment serving the lobby to the lift and stairwell. The windows within the application site, are existing and are proposed to serve a corridor and stairwell on the first, second and third floor levels. It is considered that the proposed development would not have a material impact on the future occupants of the building by way of loss of privacy and/or overlooking.

Overbearing

10.51. The proposal would not involve any additional built form in terms of extensions other than the erection of plant screening on the fourth-floor rear wing projection and the roof of the main building which fronts Magdalen Street. Whilst the plant screening would increase the height of the building in these two locations, the proposed plant screen by reason of its siting away from the building edge, and its limited height, would not have a material impact on the public walk-way along Friars Entry in terms of a sense of overshadowing nor appearing oppressive and overbearing.

10.52. Window openings within the Debenhams building have been carefully assessed. The majority of these windows are false as part of the approved scheme. Single windows on each floor serve a lobby to the lift and stairwell. As a result, it is considered that the proposed development would not have a material impact on the future occupants of the building by way of appearing overbearing or loss of outlook.

10.53. Habitable rooms located within The Randolph Hotel are located a sufficient distance away and windows within commercial property, 19 Magdalen Street, are on an oblique angle to the proposed development. It is considered that the proposed development would not have a material impact on these occupants by way of appearing overbearing or loss of outlook.

Daylight and sunlight

10.54. A daylight and sunlight report has been submitted with the application. This report assesses the daylight and sunlight effects at St Mary Magdalen Church and 19 Magdalen Street using standard Building Research Establishment (BRE) Guidelines.

10.55. Whilst the Debenhams building has not been included within the assessment, plans of the building clearly show the single windows on the

first, second and third floors in vertical alignment serve non-habitable rooms/spaces including the lobby to the lift and stairwell. It is considered that the proposed development would not have a material impact on the future occupants of the building by way of loss of light.

- 10.56. From the submitted Daylight and Sunlight Assessment it can be concluded that the development would not have an adverse impact on the amenity of the adjacent buildings assessed. Overall it is considered that the proposal accords with policies H14 and RE7 of the Oxford Local Plan 2036.

d. Amenity – Noise

- 10.57. Policy RE8 of the Oxford Local Plan requires consideration of issues relating to noise disturbance which may also impact on the amenity of adjacent occupiers and uses. This requirement is echoed in Policy R8 of the Emerging Local Plan 2045.

- 10.58. The proposal involves a material change of use of the first through to fifth floors, which are to be converted to hotel accommodation. It also includes the installation of services equipment and plant on the fourth and fifth floor roofscapes. As stated previously, the site is located in central Oxford and is bounded by commercial units and the Randolph Hotel to the north, Magdalen Street to the east, Friars Entry and commercial units to the south and commercial units to the west.

- 10.59. The applicant's acoustic submission adequately shows how future occupiers will be protected from excessive external noise by way of adequate façade design. The report also establishes the existing ambient noise levels at the nearest noise sensitive receivers (NSR) and calculates the likely 'Rating Level' of new mechanical plant installations and determines the likely noise impact resulting from the operation of the new plant.

- 10.60. The Council's Environmental Health Officers are satisfied that the scheme would meet the Local Plan criteria given appropriate design choice of plant and façade design and therefore subject to conditions, the proposal would be acceptable in environmental health terms.

e. Transport

- 10.61. Oxford has the ambition to become a world class cycling city with improved air quality, reduced congestion and enhanced public realm. Road space within the city is clearly limited and to achieve its ambition there is a need to prioritise road space and promote sustainable modes of travel. For non-residential development, the presumption will be that vehicle parking will be kept to the minimum necessary to ensure the successful functioning of the development. Policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036 seek to deliver these objectives.

- 10.62. Policy M1 states that planning permission will only be granted for development that minimises the need to travel and is laid out and designed in a way that prioritises access by walking, cycling and public transport.
- 10.63. In accordance with policy M2, a Transport Assessment for major developments should assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. A Travel Plan, Delivery and Service Management Plan and Construction Traffic and Environmental Plan Management Plan are required for major development.
- 10.64. Furthermore, Policy M3 states that the parking requirements for all non-residential development, whether this be an expansion 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.
- 10.65. Emerging Local Plan Policy C6 aligns with the existing Local Plan Policy M2 in requiring a Transport Assessment to assess the impact of the proposed development and include mitigation measures to ensure no unacceptable impact on highway safety and the road network and sustainable transport modes are prioritised and encouraged. However it has limited weight at this time.
- 10.66. Emerging Local Plan Policy C8 requires non-residential development to start with no additional parking except for blue badge and servicing only. The Council will continue to seek a reduction in parking on highly accessible sites. It goes on to state that any additional parking provision above existing levels should be kept to the minimum necessary to ensure the successful functioning of the development, with the need being demonstrated through the submitted Transport Assessment (TA), which should justify proposed parking levels based on the development in the context of the whole site. In addition, a Transport Plan (TP) must take into account the objectives of this Plan to promote and achieve a shift towards sustainable modes of travel, and should set out measures introduced to maximise use of sustainable transport modes, and should demonstrate that there will not be unacceptable impacts on the transport network. The TP will be required to be reviewed to ensure that future opportunities to encourage a shift towards public transport and active travel are taken. The requirements for a TP are set out in Appendix 7.3 of the Plan. This emerging policy takes a similar approach to the existing policy and has limited weight at this time.
- 10.67. The site is located within the City Centre and is considered to be located in a highly sustainable location. The site lies in close walking distance to existing public transport connections, including bus stops and the railway

station. No parking is currently provided on site and no parking is proposed as part of the development. Hotel guests and staff would be able to easily access the site by public transport and the car free nature of the development is supportable in line with Policy M3 of the Oxford Local Plan.

10.68. Oxfordshire County Council Highways Authority previously raised concerns regarding servicing and delivery arrangements including the timings, visitor drop-off and pick-up activity, and associated taxi/private hire vehicle movements.

10.69. To address these concerns, a Technical Note (TN001), dated July 2026 was submitted by the applicant. Clarification was provided as to how the site would operate regarding visitor drop-off and pick-up activity without affecting the bus lane, nearby bus stops, pedestrians or cyclists, particularly given that Magdalen Street includes an exclusive bus lane and a bus stop directly outside the Friars Entry access. It is proposed that taxi/private hire operators, including app-based services, would be encouraged to use alternative drop-off locations such as Beaumont Street, Broad Street and George Street, with geofencing used to avoid drop-off activity at the bus stops outside the site. The Technical Note also refers to guest information, driver instructions, monitoring and escalation measures to manage inappropriate waiting or obstruction. These measures are considered acceptable in principle. However, the detailed management arrangements will need to be secured through the Travel Plan and an Operational Management Plan which will be secured via condition.

10.70. A full travel plan has not been submitted at this stage, but the applicant has accepted the requirement for a Travel Plan to be secured by condition and has also accepted the Travel Plan monitoring contribution which would be secured via a legal agreement.

10.71. The hotel and ground floor uses would also be serviced from the kerbside of Magdalen Street. The Highway Authority previously requested further details regarding the proposed delivery and servicing arrangements. This included confirmation of revised servicing hours, the size of the largest servicing vehicle, the proposed stopping location on Magdalen Street, and how servicing activity would be managed to avoid impacts on bus operations, pedestrians and cyclists. The submitted Technical Note confirms that all servicing activity would take place between 7:30pm and 7:30am. This is welcomed, as it would avoid the busiest periods for buses, pedestrians and cyclists on Magdalen Street. This restriction is proposed to be secured through a Delivery and Servicing Management Plan condition which would also include details regarding the anticipated number and frequency of servicing and refuse collection movements, vehicle sizes, routing, stopping locations, goods transfer arrangements between Magdalen Street and Friars Entry including trolley use, and measures to ensure that servicing activity

does not obstruct bus stops, bus lanes, pedestrian routes, cycle routes or the wider highway network.

- 10.72. In light of the above and subject to conditions, the proposal would not result in significant adverse impacts on the local highways network and would be acceptable in accordance with Policies M1, M2 and M3 of the Oxford Local Plan 2036.

Cycle parking

- 10.73. Policy M5 of the Oxford Local Plan 2036 states that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.4. Bicycle parking should be, well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street. Bicycle parking should be designed to accommodate an appropriate amount of parking for the needs of disabled people, bicycle trailers and cargo bicycles, as well as and facilities for electric charging infrastructure.
- 10.74. Appendix 7.4 of the Oxford Local Plan 2036 determines that at least 1 cycle parking space per 5 non-resident staff (or other people) plus 1 cycle parking space per resident staff should be provided for hotels.
- 10.75. The proposed development would create a maximum of seven Full time (FTE) staff on site. 6no. Sheffield stands are proposed to be installed along Friars Entry outside of the proposed hotel entrance which would provide 12no. cycle spaces. Given the City Centre location whereby the site is highly sustainable and accessible, it is considered that the proposed cycle parking would be sufficient for the needs of the hotel and is therefore considered to be acceptable in compliance with Policy M5 of the Oxford Local Plan 2036.

f. Flood Risk and Drainage

- 10.76. 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. Policy G7 of the Emerging Local Plan 2045 broadly follows the same approach to the existing Local Plan Policy RE3 and is therefore given limited weight at this time.

- 10.77. 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. Policy R5 of the Emerging Local Plan 2045 requires developments that utilises water supplies prudently and protects water quality and to demonstrate compliance with the policy through a water awareness statement. In regard to drainage, the policy seeks to separate foul and surface water drainage with no surface water from new development to be discharged to the public foul or combined sewer system. This policy is given little weight at this time.
- 10.78. The application site falls within Flood Zone 1 and is identified as being at low risk of flooding from any sources.
- 10.79. The site includes a basement, but the proposed development does not seek to enlarge the footprint of the basement or deepen it, and therefore the proposed development will not have any adverse impact on groundwater flow or associated flooding.
- 10.80. The proposals does not increase the built footprint of the development, and the red line takes in the building form with no external landscaping. There will therefore not be an increase in impermeable area due to the development. Given the internal building refurbishment nature of the proposals, it is assumed that the building will continue to drain as it now does.
- 10.81. Overall, the development is considered to comply with Policies RE3 and RE4 of the Oxford Local Plan.

g. Sustainable Design

- 10.82. The Council is committed to tackling the causes of climate change by ensuring developments use less energy and assess the opportunities for using renewable energy technologies. As such, policy RE1 of the Oxford Local Plan 2036 requires schemes to incorporate a number of sustainable design and construction principles.
- 10.83. Proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated in line with Policy RE1 of the Oxford Local Plan. All development must optimise energy efficiency by minimising the use of energy through design, layout, orientation, landscaping and materials, and by utilising technologies that help achieve Zero Carbon Developments.

- 10.84. Policy RE1 requires that planning permission will only be granted for development proposals for new build residential developments which achieve at least a 50% reduction in the carbon emissions from code 2013 Building Regulations, which has now been superseded by the 2021 Part L Building Regulations. Given that the previous regulations have been superseded, it is a requirement that new planning applications are measured against the 2021 Part L standards for the purposes of considering carbon reduction against Policy RE1.
- 10.85. New build non-residential development of over 1,000sq. m. must also achieve at least a 50% reduction in carbon emissions from a 2013 Building Regulations (or future equivalent legislation) compliant base case as well as a BREEAM Excellent accreditation.
- 10.86. Policy R1 of the Emerging Local Plan 2045 requires all new buildings to be net zero carbon in operation. At the time of determining this application this policy has little weight and so the application has not been considered against this policy requirement.
- 10.87. Concerns have been raised in relation to the lack of detailed information provided to demonstrate that the proposal would comply with the Council's sustainability requirements. Officers note these concerns however, given that the proposal affects an existing building and does not result in new build development of over 1,000sqm, the energy target of 50% reduction would not need to be met. Notwithstanding this, efforts should be made to make the building as energy efficient as possible with the use of renewables. For this reason, BREEAM certification is not required for the proposed development.
- 10.88. An Energy and Sustainability Statement has been submitted with the application. The proposal seeks to incorporate low and zero carbon technologies including roof-mounted photovoltaic panels and air source heat pumps as the most appropriate solutions to meet the building's energy demands, including heating, cooling, and hot water.
- 10.89. The development is calculated to achieve an overall reduction in regulated carbon emissions of 53.4% beyond the relevant baseline, thereby complying with the policy requirement for at least a 50% reduction.
- 10.90. Subject to conditions securing the sustainable design and construction, the development would accord with policy RE1 of the Oxford Local Plan 2036.

h. Biodiversity

- 10.91. Policy G2 states that development that results in a net loss of sites and species of ecological value will not be permitted. Compensation and mitigation measures must offset any loss and achieve an overall net gain for biodiversity. For all major developments proposed on greenfield sites or brownfield sites that have become vegetated, this should be measured

through use of a recognised biodiversity calculator. To demonstrate an overall net gain for biodiversity, the biodiversity calculator should demonstrate an improvement of 5% or more from the existing situation. Offsetting measures are likely to include identification of appropriate off-site locations/projects for improvement, which should be within the relevant Conservation Target Area if appropriate, or within the locality of the site. When assessing whether a site is suitable for compensation, consideration will be given to the access, enjoyment and connection to nature that the biodiversity site to be lost has brought to a locality. A management and monitoring plan might be required for larger sites. The calculation should be applied to the whole site.

10.92. Policy G1 of the Emerging Local Plan 2036 has a similar approach to existing Local Plan Policy G2 but has limited weight at this time.

10.93. Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species.

Protected species

10.94. All species of bats and their roosts are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017 (as amended). All wild birds, their nests and young are protected under The Wildlife and Countryside Act 1981 (as amended).

10.95. A Preliminary Bat Roost Assessment has been submitted in support of this application (Redstone Ecology, 2026). The report confirmed that the building has limited potential for supporting protected species. Previous surveys recorded minimal bat activity, with no evidence of roosts, and limited potential for nesting birds with no signs of usage observed. Therefore, no further ecological surveys are required.

10.96. The Local Planning Authority, in exercising any of its functions, has a legal duty to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017, which identifies four main offences for development affecting European Protected Species (EPS):

1. Deliberate capture, injuring or killing of an EPS

2. Deliberate disturbance of an EPS, including in particular any disturbance which is likely

- a) to impair their ability –

i) to survive, to breed or reproduce, or to rear or nurture their young; or

ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or

b) to affect significantly the local distribution or abundance of the species to which they belong.

3. Deliberate taking or destroying the eggs of an EPS

4. Damage or destruction of a breeding site or resting place of an EPS.

10.97. In light of the above, officers are satisfied that European Protected Species are unlikely to be harmed as a result of the proposals. Officers are satisfied that a robust assessment was undertaken and the potential presence of protected habitats and species has been given due regard.

10.98. The report does not include any ecological enhancements. The delivery of ecological enhancements will be conditioned.

Biodiversity Net Gain

10.99. As of February 2024, the delivery of 10% Biodiversity Net Gain is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requirement superseded and exceeded the policy requirements of Oxford City Council's development plan.

10.100. The proposed development will not result in 25sqm of habitat loss and as such the is considered to meet the de minimis exemption. The application is therefore exempt from mandatory BNG.

10.101. Subject to conditions and informatives the proposals accord with Policy G1 and G2 of the Oxford Local Plan 2036, the NPPF, The Conservation of Habitats and Species Regulations 2017 (as amended), Wildlife and Countryside Act 1981 (as amended), and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

i. Land quality

10.102. Policy RE9 of the Oxford Local Plan 2036 states that planning applications where proposals would be affected by contamination or where contamination may present a risk to the surrounding environment, must be accompanied by a report which fulfils the relevant criteria set out in the policy. Where mitigation measures are needed, these will be required as a condition of any planning permission.

- 10.103. Policy R7 of the Emerging Local Plan 2045 reinforces the requirements of Policy RE9 of the Oxford Local Plan 2036 and is given limited weight at this time.
- 10.104. The site has had a long history of previous commercial and business use at ground and basement level so there is the potential for some made ground contamination to be present at the site. However the proposed development does not include any significant ground excavation work so the potential for encountering made ground is considered to be limited.
- 10.105. Due to the lack of any significant groundworks proposed at the site, it is considered that a detailed contamination risk assessment is not required at the site. However, the development does involve the creation of new residential accommodation which is considered to be a sensitive end-use and it is the developer's responsibility to ensure that the site is suitable for the proposed use. An informative advising of the applicant's responsibilities in the event that any unexpected contamination is encountered during development has been added.
- 10.106. Subject to this informative, the proposed development would be acceptable with regard to Policy RE9 of the Oxford Local Plan 2036 and paragraph 196 of the National Planning Policy Framework.

j. Air Quality

- 10.107. 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. Policy R4 of the Emerging Local Plan 2045 reinforces the requirements of the current Local Plan Policy RE6 and is given limited weight at this time.
- 10.108. The baseline assessment shows that the application site is located within the Oxford city-wide Air Quality Management Area (AQMA), declared by Oxford City Council (OCC) for exceedances of the annual mean NO₂ air quality objective (AQO).
- 10.109. The air quality baseline desk assessment shows that current air quality levels at the application site are well below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations. Therefore, the location of the application site is considered suitable for its intended use - the introduction of future residents (new receptors) without mitigation.

- 10.110. According to the site's Energy & Sustainability statement, heat and hot water will be supplied to the whole development through zero emission electrically driven systems (roof PVs and ASHPs) and is thereby emitting zero local emissions. As no combustion sources are proposed for the primary energy supply, no local air quality impacts are anticipated and a detailed assessment of impacts of combustion emissions from the energy plant will not be required.
- 10.111. The impacts of demolition and construction work on dust soiling and ambient fine particulate matter concentrations have been assessed on the AQ Assessment. This has identified that the site is found to be 'medium risk' for dust soiling and human health impacts. The risk of dust causing a loss of local amenity and increased exposure to PM10 concentrations has been used to identify appropriate dust mitigation measures. Provided these measures are implemented and included within the site's Construction Management Plan, the residual impacts are considered to be not significant. These measures will be secured by condition.
- 10.112. According to the Transport Assessment, traffic impacts arising from the development during operation will be minimal, as no regular vehicle movements are anticipated beyond occasional servicing, deliveries, and drop-offs. The proposed development is car-free and is situated in a highly connected/sustainable location, with good access to public transport and the local cycling network. No on-site car parking will be provided, and parking restrictions across the City Centre significantly limit on-street parking, aside from designated pay-and-display areas. As the development does not meet any of the UK (EPUK) / IAQM criteria that would necessitate a detailed assessment of traffic-related air quality impacts, any potential impacts can be considered negligible. Consequently, a detailed assessment of these impacts is not required.
- 10.113. In light of the above, it is considered that the proposed development is acceptable with regard to air quality and complies with Local Plan Policy RE6, subject to suggested conditions set out at the end of this report.

k. Utilities

- 10.114. Policy V8 seeks to ensure there is sufficient existing utilities capacity to support the development and that the capacity will be delivered to meet the needs of the development. The siting and appearance of utilities infrastructure should be designed to minimise impacts on amenity and to be as unobtrusive as possible.
- 10.115. A Feasibility report has been submitted which details the existing utility infrastructure for the site. This identifies the existing utility connections to the building and identifies alterations and upgrades required for the proposed development. No constraints or capacity issues associated with the development proposals have been identified.

I. Health and wellbeing

10.116. Policy RE5 of the Oxford Local Plan 2036 states that planning applications for major proposals, the Council will require a Health Impact Assessment to be submitted, which should include details of implementation and monitoring. This must provide the information outlined in the template provided at Appendix 4.

10.117. Policy HD7 of the Emerging Local Plan echoes Policy RE5 and is given limited weight at this time.

10.118. Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

- c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

10.119. Paragraph 135 (f) of the NPPF also states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.120. A health impact assessment has been submitted with the application which aligns with the requirement for major developments as stipulated in Policy RE5. Overall, the assessment concludes there would

be no adverse impacts on the health of the local community as a result of the development and would have a positive impact overall for the guests and occupants of the hotel space created. Officers are satisfied that the proposals would help promote social interaction, would be safe and accessible, and enable and support healthy lives, and as such the development would have a positive health impact.

10.121. Concerns have been raised in relation to the lack of accessible rooms within the hotel however inclusive design has been considered both internally and externally throughout the scheme with wheelchair accessibility and flexibility available. The proposed floor plans indicate that there would be a lift, accessible corridors and 2no DDA complaint hotel rooms located on the second and third floor.

10.122. In light of the above, and the contents of this report as a whole, it is considered that the proposed development would comply with policy RE5 of the Oxford Local Plan 2036.

11. CONCLUSION

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

11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in the Framework that protect areas or assets of particular importance provides a clear reasons for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11.3. Therefore, it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.4. In summary the proposed development is acceptable with regard to making best and most efficient use of the land and the loss of the ancillary

place of worship is considered acceptable in principle in line with Policies V1, V2 and V7 of the Oxford Local Plan. The proposal, subject to conditions, would be acceptable in design terms and would not cause any detrimental harm upon the character and appearance of the non-designated heritage asset itself, the streetscene of Magdalen Street or the designated heritage assets comprising the wider Conservation Area and setting of nearby Listed Buildings including the Oxford skyline. The proposals would not cause any detrimental impacts upon the amenity of any neighbouring uses, and nor would the proposals cause any impacts with regard to drainage or ecology. In addition, the proposal would not cause any detrimental impacts associated with vehicle and bicycle parking nor highways safety, subject to conditions. Specifically and subject to conditions, the occupants of the proposed hotel would not experience any significant adverse impact in terms of noise and odour from the uses below. Equally, the proposed use as a hotel would not impact harmfully on the existing uses on levels below with regard to noise and odour experienced from these units (Agent of change principle). As such the proposals are considered to comply with the policies of the Oxford Local Plan 2036 and the NPPF.

- 11.5. It is recommended that the Committee resolve to grant planning permission for the development proposed, subject to conditions and a legal agreement to secure the required travel plan monitoring fees requested by the County Council.

12. CONDITIONS AND INFORMATIVES

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.

Develop in Accordance with Approved Plans

2. The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

Reason: To avoid doubt as no objection is raised only in respect of the consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

Materials

3. Samples of all exterior materials proposed to be used shall be made available for inspection on site and details shall be submitted to and approved in writing

by the Local Planning Authority before the start of the relevant work and only the approved materials shall be used.

Reason: To ensure high-quality design and to ensure a sympathetic appearance for the new work and in the interest of the special character of the building and conservation area, in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036

Plant screen details

4. Prior to the installation of any external plant screen, large scale (1:20) details including samples demonstrating the material, colour, texture, reflectivity and joints shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure high-quality design and to ensure a sympathetic appearance for the new work and in the interest of the special character of the building and conservation area, in accordance with policies DH1 and DH3 of the Oxford Local Plan 2036

Signage

5. Prior to installation, large scale details (1:50) of the finished appearance including materials and colour samples of all visible rooftop mechanical plant and the plant screen shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details upon installation and retained thereafter.

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

Hotel Management Plan

6. Prior to occupation or use of the development, a comprehensive Hotel Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of day-to-day operations, staffing levels, guest management procedures, and ongoing management responsibilities. The development shall thereafter be operated in accordance with the approved plan and retained in perpetuity.

Reason: To ensure the development is managed in a safe and secure manner, in line with Secured by Design principles, thereby minimising opportunities for crime and disorder and protecting the safety and amenity of occupants and visitors in accordance with the requirements of policy DH1 of the Oxford Local Plan 2036 and the NPPF.

Security and Access Strategy

7. Prior to first occupation or use of the development hereby permitted, a detailed Security and Access Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall address the following:
 - a. Access Control Measures: Full details of access control systems including specifications, locations, and zoning arrangements for all front-of-house (FOH) and back-of-house (BOH) areas, including doors and windows. This shall include electronic or mechanical systems, together with guest and staff key management procedures and audit/logging policies.
 - b. Access Management and Policies Details: of operational access arrangements including hours of operation, management of entry points, and any curfew or controlled access measures for main entrances.
 - c. Staff Security and Training: Details of staff security training, competency standards, and deployment, including any provision of licensed security personnel.
 - d. Doors, Windows and Glazing Specification: Details confirming that doors, windows, and glazing meet recognised security standards (including PAS 24 or equivalent).
 - e. Cycle Storage Facilities: Details of secure cycle storage provision, including location, design, access control, and anchoring systems.
 - f. CCTV Surveillance System: Full details of the CCTV system including camera locations (plans and elevations), technical specifications, coverage/fields of view, monitoring arrangements, recording systems, data storage, retention periods, and secure server location.
 - g. Lighting Strategy: Details of lighting proposals for external areas and internal circulation spaces, including luminance levels, uniformity, and placement. Details should ensure that external lighting, including zonal/security lighting, promotes a secure environment and does not cause a nuisance to local residents and shall include plans and elevations as necessary.

The approved plan will be adhered to at all times and retained thereafter in perpetuity.

Reason: To ensure the development is managed in a safe and secure manner, in line with Secured by Design principles, thereby minimising opportunities for crime and disorder and protecting the safety and amenity of occupants and visitors as well as neighbours and in the interest of the special

character of the building and conservation area, in accordance with the requirements of policies DH1 and DH3 of the Oxford Local Plan 2036 and the NPPF.

Noise

8. The design and structure of the development shall be of such a standard that it will protect occupiers/users within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with Policies RE7 and RE8 of the Oxford Local Plan 2036.

Noise – plant equipment

9. The noise emitted from the proposed plant 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 in accordance with Policies RE7 and RE8 of the Oxford Local Plan 2036.

Noise – vibrations

10. 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 in accordance with Policies RE7 and RE8 of the Oxford Local Plan 2036.

Cycle parking

11. Prior to first use of the hotel hereby approved, cycle storage facilities shall be provided on site in accordance with the approved plans. The approved use shall not commence until the facilities have been provided as approved and shall thereafter be retained for the purposes of cycle storage unless agreed otherwise in writing by the Local Planning Authority.

Reason: To encourage the use of sustainable modes of transport, and to ensure the amenity of future occupiers in accordance with the requirements of Policy M5 of the Oxford Local Plan 2036.

Operational Management Plan

12. The development shall not be occupied until an Operational Management Plan for guest drop-off and pick-up activity has been submitted to and approved in writing by the Local Planning Authority. The document shall include details of how all taxi, and private hire drop-off/pick-up activity associated with the development will be managed. The Operational Management Plan shall include, as a minimum:

- the agreed locations for guest drop-off and pick-up activity, including taxi and private hire vehicle movements;
- confirmation that Magdalen Street bus stops, bus lanes and restricted highway areas shall not be used for guest drop-off, pick-up, waiting or parking;
- details of taxi/private hire geofencing arrangements, including how operators and app-based services will be instructed to direct vehicles to appropriate locations;
- guest information measures, including pre-arrival information, booking confirmation details, website information and on-site signage;
- staff procedures for directing guests and drivers to appropriate drop-off and pick-up locations;
- measures to prevent inappropriate stopping, waiting, obstruction or vehicle circulation on Magdalen Street, Magdalen Street East, George Street and surrounding restricted streets;
- monitoring arrangements, including how inappropriate drop-off/pick-up activity will be recorded and reviewed;
- escalation and corrective measures to be implemented if highway safety, bus operation, pedestrian or cyclist movement issues arise;
- details of the person or role responsible for implementing and reviewing the approved arrangements.

The development shall thereafter be operated in full accordance with the approved Operational Management Plan in perpetuity.

Reason: In the interests of highway safety, bus reliability and the safe and convenient movement of pedestrians and cyclists, and to ensure that guest drop-off and pick-up activity associated with the development does not obstruct bus stops, bus lanes, restricted streets or the wider highway network, in accordance with Policies M1, M2, M5 and RE7 of the Oxford Local Plan 2036 and Government guidance contained within the National Planning Policy Framework.

Delivery, Servicing and Refuse Management Plan

13. Prior to the first occupation of the development hereby approved, a Delivery, Servicing and Refuse Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include, as a minimum:

- Confirmation that all delivery, servicing and refuse collection activity shall take place only between 7:30pm and 7:30am;
- Details of the anticipated number and frequency of delivery, servicing and refuse collection movements,
- Details of the size and type of vehicles to be used, including the largest delivery, servicing and refuse collection vehicles expected to serve the site;
- Delivery, servicing and refuse vehicle routing to and from the site;
- The precise location where delivery, servicing and refuse collection vehicles will stop on magdalen street;
- Confirmation that the magdalen street bus lane shall not be used for loading, unloading, delivery, servicing or refuse collection activity;
- Details of how all delivery, servicing and refuse collection activity will be undertaken from the permitted loading/unloading location on the opposite side of magdalen street, where double yellow lines apply, and within the permitted loading period;
- Arrangements to ensure that vehicles do not obstruct bus stops, bus lanes, pedestrian routes, cycle routes or the wider highway network;
- Details of refuse storage, bin transfer routes, collection frequency and collection arrangements;
- Details of how the goods, waste and servicing items will be transferred between magdalen street and the hotel entrance at friars entry;
- Management measures to avoid conflict with pedestrians and cyclists, including any trolley movements;
- Details of how all suppliers, contractors, drivers and waste operators will be informed of and required to comply with the approved arrangements;
- Monitoring and review procedures, including corrective measures in the event of non-compliance.

The development shall thereafter be carried out strictly in accordance with the approved Delivery and Servicing Management Plan and be always adhered to following occupation.

Reason: In the interests of highway safety and to ensure that servicing activity does not adversely affect bus operations, pedestrians, cyclists or other highway users, in accordance with Policy RE7 of the Oxford Local Plan 2036 and Government guidance contained within the National Planning Policy Framework.

Travel Plan

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

Thereafter, the development shall be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Policy M1 of the Oxford Local Plan 2036 and Government guidance contained within the National Planning Policy Framework.

Construction Traffic Management Plan

15.A Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The CTMP shall identify:

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

- Details of times for construction traffic and delivery vehicles, which must be outside network peak hours.

The approved CTMP shall be adhered to at all times during the construction of the 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 in accordance with policies M2 and RE7 of the Oxford Local Plan 2036.

Pre-commencement Ecological Enhancements plan Condition

16. Prior to commencement of the development, details of ecological enhancement measures, shall be submitted to and approved in writing by the Local Planning Authority. This will include a minimum of one swift brick integrated into the newly built section of the building. These features will need to be positioned with consideration of aspect, location, surrounding habitat and lighting to maximise potential for uptake by relevant species. Details must include the proposed specifications, locations, and arrangements for any required maintenance. The approved devices shall be fully constructed under the oversight of a suitably qualified ecologist prior to occupation of the approved development. The approved devices shall be maintained and retained in perpetuity unless otherwise approved in writing by the Local Planning Authority.

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

Thames Water

17. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development and to comply with policy RE4 and RE7 of the Oxford Local Plan 2036.

Dust mitigation

18. No development shall take place until the complete list of site-specific dust mitigation measures and recommendations that are identified on Chapter 7 - Mitigation (pages 22 to 24) of the Air Quality Assessment that was submitted

with this application, are included in the site's Construction Environmental Management Plan (CEMP). The CEMP will need to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing and the approved plan will be adhered to thereafter.

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

Archaeology

19. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

The archaeological investigation should consist of a watching brief during the excavation of the lift pit and should be undertaken by a professionally qualified archaeologist working to a brief issued by ourselves

Reason: Because the development may have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including Late Saxon, medieval and post-medieval remains in accordance with Policy DH4 of the Oxford Local Plan 2036.

INFORMATIVES

1. **NPPF** - In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.
2. **CIL** - This development is liable for CIL.
3. **Noise and construction:** Construction works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 08:00 – 18:00 Monday to Friday daily, 08:00 – 13:00 on Saturdays and at no other times, including Sundays and

Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.

4. **Notify neighbours:** At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.
5. **Waste:** No waste materials should be burnt on site of the development hereby approved.
6. **Contamination:** If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.
7. **Thames Water:** A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
8. Public sewers are crossing or close to your development. Build over agreements are required for any building works within 3 metres of a public sewer and, or within 1 metre of a public lateral drain. This is to prevent damage to the sewer network and ensures we have suitable and safe access to carry out maintenance and repairs. Please refer to our guide on working near or diverting our pipes: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-2-development/working-near-our-pipes> Please ensure to apply to determine if a build over agreement will be granted.
9. **Protected species** - All species of bats and their roosts are protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). Please note that, among other activities, it is a criminal offence to deliberately kill, injure or capture a bat; to damage, destroy or obstruct access to a breeding or resting place; and to intentionally or recklessly disturb a bat while in a structure or place of shelter or protection. Occasionally bats can be found during the

course of development even when the site appears unlikely to support them. In the event that this occurs, work should stop immediately and advice should be sought from a suitably qualified ecologist. A European Protected Species Mitigation Licence (EPSML) may be required before works can resume.

10. **Birds** - All wild birds, their nests and young are protected under The Wildlife and Countryside Act 1981 (as amended). Occasionally nesting birds can be found during the course of development even when the site appears unlikely to support them. If any nesting birds are present then the buildings works should stop immediately and advice should be sought from a suitably qualified ecologist.
11. **Site Traffic Cleaning:** It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
12. **Site Traffic Obstruction:** No vehicles associated with the building operations on the development site shall be parked on the public highway, so as to cause an obstruction. Any such obstruction is an offence under S137 of the Highways Act 1980.
13. **Public Rights of Way:** Protection of public rights of way and users. Routes must remain usable at all times during a development's construction lifecycle. This means temporary or permanent surfacing, fencing, structures, standoffs and signing need to be agreed with OCC Countryside Access and provided prior to the commencement of any construction and continue throughout. Access provision for walkers, cyclists and horseriders as vulnerable road users needs to be maintained. This means ensuring noise, dust, vehicle etc impacts are prevented

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 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.

This page is intentionally left blank