

Agenda

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West Area Planning Committee

Date: **Tuesday 11 July 2017**

Time: **6.00 pm**

Place: **The Old Library, Town Hall**

For any further information please contact the Committee
Services Officer:

Catherine Phythian, Committee and Member Services Officer

Telephone: 01865 252402

Email: democraticservices@oxford.gov.uk

If you intend to record the meeting, it would be helpful if you speak to the Committee Services Officer before the start of the meeting.

West Area Planning Committee

Membership

Chair	Councillor Louise Upton	North;
Vice-Chair	Councillor Colin Cook	Jericho and Osney;
	Councillor Jamila Begum Azad	St. Clement's;
	Councillor Jean Fooks	Summertown;
	Councillor Alex Hollingsworth	Carfax;
	Councillor Dan Iley-Williamson	Holywell;
	Councillor Tom Landell Mills	St. Margaret's;
	Councillor Jennifer Pegg	Northfield Brook;
	Councillor Bob Price	Hinksey Park;

The quorum for this meeting is five members. Substitutes are permitted.

Copies of this agenda

Reference copies are available to consult in the Town Hall Reception. Agendas are published 6 working days before the meeting and the draft minutes a few days after.

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- downloaded from our website
- viewed using the computers in the Customer Services, St Aldate's, or
- subscribed to electronically by registering online at mycouncil.oxford.gov.uk

AGENDA

Pages

New deadline for registering to speak at a planning committee

Those wishing to speak **must register with the Committee Services Officer by noon on the working day before the meeting***, giving their name, the application/agenda item they wish to speak on, and whether they are objecting to or supporting the application.

You can register to speak:

- on-line from the agenda webpage
- by e-mail to democraticservices@oxford.gov.uk
- by telephone using the contact details on the committee agenda

* For the avoidance of doubt *noon on the working day before the meeting* means 12 noon on Monday for a Tuesday meeting; 12 noon on a Tuesday for a Wednesday meeting.

1 Apologies for absence and substitutions

2 Declarations of interest

3 17/01144/FUL: Land to The Rear Of The University Club, 11 Mansfield Road, Oxford, OX1 3SZ

13 - 38

Site address: Land To The Rear Of The University Club,
11 Mansfield Road, Oxford, Oxfordshire,
OX1 3SZ

Proposal: Erection of a teaching laboratory modular building for the Departments of Zoology and Biochemistry (Use Class D1) for a temporary period of 5 years.

Recommendation:

The West Area Planning Committee is recommended to:

(a) Agree to grant temporary planning permission for a period of five years for the reasons given in the report and subject to:

1. The satisfactory submission and assessment of archaeological

details to demonstrate that there would not be harm to archaeological assets resulting from the proposed development;

2. Confirmation from the Secretary of State that the application will not be 'called in', following the referral of the application in accordance with The Town and Country Planning (Consultation) (England) Direction 2009;
3. The required planning conditions set out in section 10 of this report.

Or, if the objections from Sport England and the Council's Archaeologist are withdrawn or modified in advance of the committee meeting then the following is recommended:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Consider the required archaeological details, determine whether the proposal would result in harm to archaeological assets; and subject to Officer's being satisfied with the archaeological details, grant planning permission on this basis;
2. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

4 17/01259/FUL: Land To The Rear Of The University Club, 11 Mansfield Road, Oxford, OX1 3SZ

39 - 64

Site address: Land To The Rear Of The University Club, 11 Mansfield Road, Oxford, OX1 3SZ

Proposal: Erection of a research and administrative modular building for the department of Zoology (Use Class D1) for a temporary period of 5 years.

Recommendation:

The West Area Planning Committee is recommended to:

(a) Agree to grant temporary planning permission for a period of five years for the reasons given in the report and subject to:

1. The satisfactory submission and assessment of archaeological details to demonstrate that there would not be harm to archaeological assets resulting from the proposed development;
2. Confirmation from the Secretary of State that the application will not be 'called in', following the referral of the application in accordance with The Town and Country Planning (Consultation) (England) Direction 2009;

3. The required planning conditions set out in section 10 of this report.

Or, if the objections from Sport England and the Council's Archaeologist are withdrawn or modified in advance of the committee meeting then the following is recommended:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Consider the required archaeological details, determine whether the proposal would result in harm to archaeological assets; and subject to Officer's being satisfied with the archaeological details, grant planning permission on this basis;
2. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

5 17/01187/FUL: Plot K, Radcliffe Observatory Quarter, Woodstock Road, Oxford, OX2 6GG

65 - 88

Site address: Plot K, Radcliffe Observatory Quarter, Woodstock Road, Oxford, OX2 6GG

Proposal: Research modular building for the Department of Experimental Psychology as academic non-residential institution use (Class D1) for a temporary period of five years.

Recommendation:

The West Area Planning Committee is recommended to **grant** planning permission for the reasons given in the report and subject to the required planning conditions set out in section 10 of this report and agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

6 17/01021/FUL: 53 Sunderland Avenue, Oxford, OX2 8DT

89 - 102

Site address: 53 Sunderland Avenue, Oxford, OX2 8DT

Proposal: Demolition of existing dwelling and garage.
Erection of three storey building comprising
2 x 3-bed, 2 x 2-bed and 2 x 1-bed flats.
Provision of car parking and landscaping.

Recommendation:

The West Area Planning Committee is recommended to **refuse** planning permission for the reason set out below:

1. The application seeks the development of more than three dwellings; as a result a financial contribution is required towards the provision of affordable housing as set out in Policy HP4 of the Sites and Housing Plan (2013). The applicant has indicated that they are not willing to provide a financial contribution. The development also fails to provide any on-site provision of affordable housing and no evidence has been provided to indicate that on-site provision or a financial contribution towards affordable housing would make the scheme unviable. As a result, the development is contrary to Policy HP4 of the Sites and Housing Plan (2013) and Policy CS24 of the Core Strategy (2011).

7 Minutes

103 - 112

To approve as a true and accurate record the minutes of the meeting held on 13 June 2017.

8 Forthcoming applications

Items for consideration by the committee at future meetings are listed for information. They are not for discussion at this meeting.

Chiltern Line - East West Rail link - all applications	
17/00860/FUL: Greyfriars Court, Paradise Square, Oxford, OX1 1BE	Major application
16/02945/FUL: Oxford Business Centre Osney Lane Oxford Oxfordshire OX1 1TB	Major application
16/02745/CT3: Seacourt Park And Ride, Botley Road, Oxford	Major application - Council application
15/03524/FUL: Oxford Spires Four Pillars Hotel, Abingdon Road, Oxford, OX1 4PS	Major application
16/01220/FUL & 16/01221/FUL: 16 Northmoor Road, Oxford, OX2 6UP	Called in
17/00758/FUL: St Catherines College,	Conservation area /

Manor Road, Oxford, OX1 3UJ	major development
17/01110/FUL: Free Think House, 16 Middle Way, Oxford, OX2 7LH	Non-delegated application

9 Dates of future meetings

The Committee will meet at 6.00pm on the following dates:

2017	2018
1 August 2017	16 January 2018
12 Sept 2017	21 February 2018
10 October 2017	13 March 2018
14 November 2017	10 April 2018
12 December 2017	21 May 2018
	12 June 2018

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Code of practice for dealing with planning applications at area planning committees and planning review committee

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

At the meeting

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair may draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;
 - (d) speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
 - (e) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.

Preparation of Planning Policy documents – Public Meetings

4. At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

Public requests to speak

5. Members of the public wishing to speak must notify the Democratic Services Officer by noon on the working day before the meeting, giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made in person, via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda).

Written statements from the public

6. Any written statements that members of the public and Councillors wish to be considered should be sent to the planning officer by noon two working days before the day of the meeting. The planning officer will report these at the meeting. Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to view give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

Exhibiting model and displays at the meeting

7. Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention by noon, two working days before the start of the meeting so that members can be notified.

Recording meetings

8. Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.
9. The Council asks those recording the meeting:
 - Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
 - To avoid recording members of the public present unless they are addressing the meeting.

Meeting Etiquette

10. All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.
11. Members should not:
 - (a) rely on considerations which are not material planning considerations in law;
 - (b) question the personal integrity or professionalism of officers in public;
 - (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; or
 - (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

Code updated to reflect Constitution changes agreed at Council in April 2017.

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WEST AREA PLANNING COMMITTEE

11th July 2017

Application Number: 17/01144/FUL

Decision Due by: 8th August 2017

Extension of Time: Not Applicable

Proposal: Erection of a teaching laboratory modular building for the Departments of Zoology and Biochemistry (Use Class D1) for a temporary period of 5 years.

Site Address: Land To The Rear Of The University Club, 11 Mansfield Road, Oxford, Oxfordshire, OX1 3SZ

Ward: Holywell Ward

Agent: Mr Michael Crofton-Briggs **Applicant:** The University of Oxford

Reason at Committee: Major Application

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

(a) Agree to grant temporary planning permission for a period of five years for the reasons given in the report and subject to:

1. The satisfactory submission and assessment of archaeological details to demonstrate that there would not be harm to archaeological assets resulting from the proposed development;
2. Confirmation from the Secretary of State that the application will not be 'called in', following the referral of the application in accordance with The Town and Country Planning (Consultation) (England) Direction 2009;
3. The required planning conditions set out in section 10 of this report.

Or, if the objections from Sport England and the Council's Archaeologist are withdrawn or modified in advance of the committee meeting then the following is recommended:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Consider the required archaeological details, determine whether the proposal would result in harm to archaeological assets; and subject to Officer's being satisfied with the archaeological details, grant planning permission on this

basis;

2. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

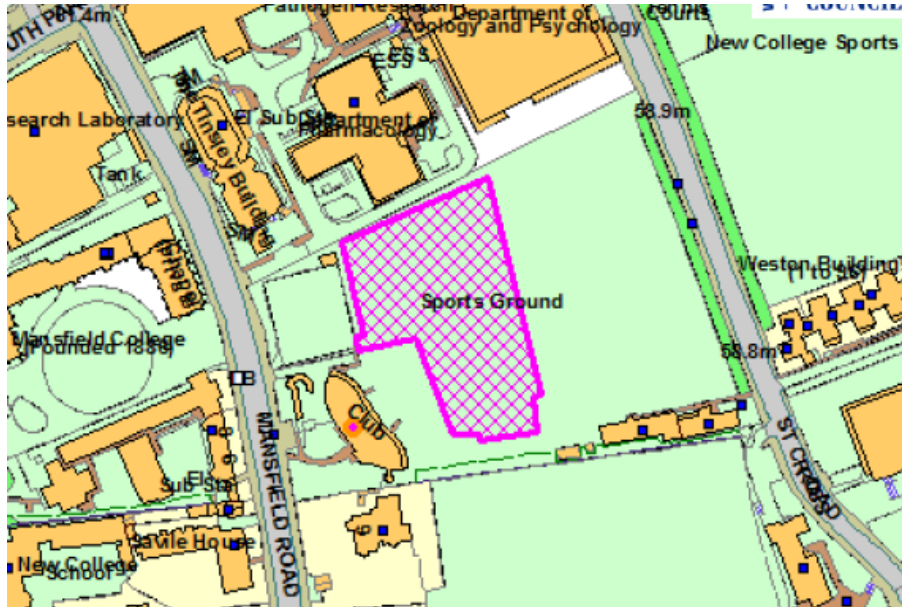
2. EXECUTIVE SUMMARY

- 2.1. This report considers an application for the erection of a teaching laboratory modular building for the Departments of Zoology and Biochemistry (Use Class D1) for a temporary period of 5 years.
- 2.2. The key matters for assessment set out in this report include the following:
 - Principle of development;
 - Heritage, design and impact on the character of the surrounding area;
 - Impact on neighbouring amenity;
 - Highways and traffic impacts;
 - Archaeology;
 - Other Matters - Ecology; Flood Risk; Trees; Air Quality and Energy
- 2.3. Officers consider there to be exceptional circumstances arising from the closure of the Tinbergen building which, to ensure the continued function of the Departments of Zoology and Biochemistry, warrant the erection of a temporary building.

3. SITE AND SURROUNDINGS

- 3.1. The application site is located on the western side of the University Club Field, Mansfield Road, Oxford. The site comprises an open sports ground behind the University Club, situated between St Cross Road to the east and Mansfield Road to the west.
- 3.2. To the south is the boundary between the University Club sports ground and Balliol College sports ground. The northern boundary is formed by a number of buildings that make up part of the University's science area, including the Tinbergen Building, the Tinsley Building and Pharmacology.
- 3.3. The site lies within the Central Conservation Area boundary. The site is within Flood Zone 1.

- 3.4. A site location plan is provided below:
- 3.5.



3.6. The application site shown above comprises two development parcels. This application considers the southern site as shown on the block plan below. The northern site shown as a hatched area is the subject of application 17/01259/FUL which is currently under consideration by Officers.



4. PROPOSAL

- 4.1. The application proposes the erection of a teaching laboratory modular building for the Departments of Zoology and Biochemistry (Use Class D1) for a temporary period of 5 years.
- 4.2. The proposed building is a single storey modular building which would measure 1,593 m² in size, 60 metres by 24.5 metres widening to 30 metres in the middle section. The building would be 3.8 metres in height.
- 4.3. The proposal would be constructed from 40 modular units, based around a steel frame and is proposed to be clad in a composite insulated panel system with a plastic coated steel cladding with a mid-grey colour finish. The proposals would involve the excavation and construction of foundations.

5. RELEVANT PLANNING HISTORY

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

Application Reference	Description of Development	Decision
01/01725/FUL	Demolish existing Pavilion/grounds man's flat. Erect 4 storey building incorporating sports and leisure uses on 3 floors and 14 bedrooms on 3rd floor with plant in roof space. Artificial surface to tennis courts.	Approved 1 st October 2002
01/01724/CAC	Conservation Area consent for demolition of existing pavilion/grounds man's flat.	Approved 1 st October 2002
01/01725/FUL	Demolish existing Pavilion/grounds man's flat. Erect 4 storey building incorporating sports and leisure uses on 3 floors and 14 bedrooms on 3rd floor with plant in roof space. Artificial surface to tennis courts.	Approved 1 st October 2002
06/00679/FUL	Erection of 8 x 8m high flood lighting columns around perimeter of multi-use games area.	Approved 12 th May 2006
15/03105/FUL	Erection of 2 storey extension together with rear extensions to the roof pods at levels D, E and F, new entrance, lay-bys and nitrogen tank.	Approved 20 th January 2016

- 5.2. The table below sets out other applications submitted by Oxford University as a result of the closure of the Tinbergen Building:

Application Reference	Description of Development	Decision
17/01259/FUL (Land To The Rear Of The University Club, 11 Mansfield Road)	Erection of a research and administrative modular building for the department of Zoology (Use Class D1) for a temporary period of 5 years.	Decision Pending
17/01187/FUL (Plot K Radcliffe Observatory Quarter Woodstock Road)	Research modular building for the Department of Experimental Psychology as academic non-residential institution use (Class D1) for a temporary period of five years.	Decision Pending

6. RELEVANT PLANNING POLICY

6.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Other Planning Documents
Design	7 Paragraphs 56 - 68	CP.1, CP.6, CP.8, CP.9, CP.10, CP.13, CP.25	CS18	
Conservation/ Heritage	12 Paragraphs 126 – 141, of particular relevance is paragraphs 128, 129, 134 and 135	HE.7		
Natural Environment	11 Paragraphs 109 – 125,	CP.11, NE.16, NE.21, NE.22	CS2, CS9, CS11, CS12	
Social and community	8 Paragraphs 69 – 78, of particular relevance is paragraph 74.	SR.2	CS19, CS21, CS29	
Transport	4 Paragraphs 29 - 41	TR.1, TR.2, TR.3, TR.4, TR.6, TR.12, TR.13	CS13	Parking Standards SPD

Environmental	10 Paragraphs 93 - 108	CP.20, CP.21, CP.22, CP.23	CS10	Energy Statement TAN
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7. CONSULTATION RESPONSES

- 7.1. Site notices were displayed around the application site on 18th May 2017 and an advertisement was published in the Oxford Times newspaper on 18th May 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 7.2. No objection on the basis that given that the proposal is located in close proximity to the Tinbergen Building, the transport impact would be limited. Suggested conditions to secure a Construction Transport Management Plan (CTMP), drainage details and cycle parking.

Sport England

- 7.3. Sport England have objected to the proposal on the basis that it would lead to the loss of use, of land being used as a playing field. Sport England have requested that if permission is granted the consent should only be valid for 3 years (rather than 5 years as applied for). They have also requested additional details of where the displaced junior football teams can be accommodated; that the proposed building be moved to ensure there is emergency access to the retained playing field; and that the building is moved to ensure the retained pitch can still meet the Step 7 ground grading requirements. Discussions between Officers, the applicant and Sport England are on-going.
- 7.4. If the application is recommended for approval they have requested a condition to ensure that the playing field is replaced with a field that is at least equivalent quality as the existing and a condition to secure community use of the field for the future.
- 7.5. If the West Area Planning Committee is minded to approve the application Sport England have requested that the application be referred to the Secretary of State in accordance with The Town and Country Planning (Consultation) (England) Direction 2009.

Heritage Officer

- 7.6. No objections but stated that the proposal would result in less than substantial harm to the Central Conservation Area and therefore, this must be weighed against any public benefits.

Tree Officer

- 7.7. No objections subject to conditions to ensure that trees are adequately protected during the construction phases and to ensure that any new underground utility services and drainage avoid damage to tree roots.

Biodiversity Officer

- 7.8. No objections subject to informatives relating to the protection of bats and relating to vegetation clearance and nesting birds.

Flood Mitigation Officer

- 7.9. No objections subject to conditions relating to Sustainable Urban Drainage (SuDs) and the construction and on-going maintenance of the drainage infrastructure.

Archaeology Officer

- 7.10. Objected to the proposal due to insufficient information being supplied at the time of writing this report. Specific concerns have been expressed about the construction of the foundations of the building and the potential for impact on archaeology.

Environmental Health (Noise) Officer

- 7.11. No objections subject to a condition to ensure appropriate noise levels of mechanical plant/ ventilation/ air conditioning.

Other

- 7.12. The following consultees raised no objection:

- Natural England;
- Oxford Preservation Trust;
- Air Quality Officer;
- Land Quality Officer (Contamination).

- 7.13. The following consultees provided a response of no comment:

- Historic England;
- Environment Agency.

- 7.14. The following consultees did not provide a response:

- Oxford Civic Society

Public representations

- 7.15. No public comments have been received.

Officer Response

- 7.16. In terms of Sport England's comments Officers have considered the suggested conditions and agree that it is reasonable to require that following the removal of

the proposed temporary building the playing field should be reinstated to an equivalent quality.

- 7.17. Considering the current use of the playing field which includes a proportion of community use Officers do not consider it to be reasonable to seek to secure further community use by way of a condition. As such the suggested wording from Sport England has not been used. Instead Officers require that details of the temporary relocation of the community groups are provided for each community group to be displaced. These shall include, as a minimum, the location, a summary of facilities available and confirmation that the relocation will not impact on existing community sports teams.
- 7.18. In terms of archaeology, while there is currently insufficient information to establish whether the proposal would impact on the archaeology of the site, Officers are working closely with the applicant to secure further details to ensure that the proposal would not result in harm to archaeological assets. There are specific concerns about the excavation and construction of foundations which has given rise to the need to seek additional information in relation to archaeology.

8. PLANNING MATERIAL CONSIDERATIONS

8.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Heritage, design and impact on the character of the surrounding area;
- iii. Impact on neighbouring amenity;
- iv. Highways and traffic impacts;
- v. Archaeology;
- vi. Other Matters - Ecology; Flood Risk; Trees; Air Quality; Energy.

i. Principle of Development

- 8.2. In assessing the acceptability of the principle of development it is important to first set out the relevant background which has led to the current submission. The proposed temporary building would be used to accommodate staff and students from the Departments of Zoology and Chemistry. Until Monday 13th February 2017 these departments were located within the Tinbergen building (located to the north of the application site) however during renovation works it was discovered that the levels of asbestos within the building were more extensive than previously thought and it became apparent that works could no longer be effectively managed while the building was still occupied.
- 8.3. The total net usable area of the building (as of December 2016) was 14,377m². For the academic year 2016/2017 there were 201 staff, 159 post graduates and, 328 undergraduates within the Department of Zoology and 16 staff and 400 undergraduates within the Biochemistry building using the Tinbergen building. The closure of the Tinbergen building has resulted in the loss of facilities for these students and staff and the application for a temporary building forms part

of the strategy to address this problem. The applicant has identified the following types of spaces are required as part of the re-provision:

- Standard office space/meeting rooms;
- Laboratory space and research write up facilities;
- Specialist laboratory space;
- Space with specialist equipment for key research projects, including Cat 2 and Cat 3 facilities¹ ;
- Teaching space with and without laboratory provision. The teaching labs provide space for approximately 240 students across the departments at any one time, of a total of approximately 350-500 students across the two undergraduate courses.
- Subject testing rooms and ancillary support space.

- 8.4. Core Strategy Policy CS29 (The Universities) states that planning permission will be granted for new academic floorspace on existing University of Oxford sites where proposals respect the character and setting of Oxford's historic core. The supporting text for the policy emphasizes the significant contribution that Oxford University makes to the growth and competitiveness of Oxford's economy and the benefits arising in terms of skills, employment and wealth creation. The University of Oxford is a world-renowned centre of academic excellence as well as one of the largest employers in Oxford. Officers are mindful that the closure of the Tinbergen Building without any replacement provision would have a serious and detrimental impact on both the staff and students at Oxford University but also would have resonating impacts for the wider economy of Oxford. Therefore, the erection of a building to mitigate against the loss of facilities is supported on the basis that all other determining issues are found to be acceptable.
- 8.5. Local Plan Policy CP25 (Temporary Buildings) states that permission will only be granted for temporary buildings when the short term need has been clearly demonstrated. Officers consider that the submitted details demonstrate a clear need for the proposed building to ensure that the displaced Departments can continue to operate in both the short and long term.
- 8.6. Policy CP25 also states that temporary buildings need to ensure that they do not adversely affect visual attractiveness, trees or parking provision; and adequately address, where appropriate landscaping; noise insulation; access for people with disabilities; relationship to existing buildings; prejudice future developments; access points; and provide a suitable external appearance.
- 8.7. The qualifying criteria set out in Policy CP25 are considered further in this report. Officers consider the principle of a temporary building on the site to be acceptable due to the exceptional circumstances arising from the closure of the Tinbergen building.
- 8.8. The application site is located within the sports playing field of Oxford University. There are a number of national and local policies which protect open space and sports and leisure provision that are therefore applicable to this application.

8.9. Paragraph 74 of the National Planning Policy Framework (NPPF) states that there should not be development on sports fields unless the following criteria is met:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

8.10. Oxford City Council development plan policies also emphasise support for the retention of sports pitches. Within the Core Strategy Policy CS2 (Previously Developed and Greenfield Land) states that proposals for development on open space will only be acceptable where the need for the development of the land can be demonstrated if the open space is not required for the well-being of the community it serves. Core Strategy Policy CS21 (Green Spaces, Leisure and Sport) further states that permission will only be granted for development resulting in the loss of existing sports and leisure facilities if alternative facilities can be provided and if no deficiency is created in the area.

8.11. Likewise, within the Local Plan, Policy SR2 (Protection of Open Air Sports Facilities) states that planning permission will only be granted where:

- a) there is a need for the development;
- b) there are no alternative non-greenfield sites; and
- c) the facility can be replaced by either:
 - i. providing an equivalent or improved replacement facility; or
 - ii. upgrading an existing facility.

8.12. Currently the field is well used by various sports groups comprising the following:

Football: The site is currently used by community football team Mansfield Road FC, a club containing 2 men's and 2 Women's teams plus a junior section for cU6 to U8. In terms of University and College Staff there are approximately 60-65 adult games a year from September through to April (Michaelmas and Hilary terms). There are 30-40 Saturday morning junior football games. The junior team plays on small sided pitch.

Cricket: There is a weekend University Staff cricket club which plays mainly on Sundays throughout summer from the end of April through to end of August (Trinity Term). There are approximately 14-16 matches a year on grass wickets. The Jack Cox competition is also held which comprises 16 University Department cricket teams playing evening cricket league/cup with approximately 46 games a year, played on artificial wicket.

Archery: Staff Archery group takes place on 1-2 nights a week during summer months. There are approximately 20 Archery sessions in total.

- 8.13. There is only occasional external club or 'social' cricket booking and no bookings have been taken so far for 2017.
- 8.14. The proposal would result in the loss of some of the sports facilities currently provided at the University Club Field namely the cricket facility (both grass wickets and artificial wicket) together with the junior football training pitch. The main impact will be on the junior football teams as their teams will lose their playing and training facilities.
- 8.15. The extent of the use and the current demand for the facilities clearly demonstrates that the open space is not surplus to the requirements of the University. Also, as the proposal seeks the erection of a teaching building it would not result in the replacement of the existing facilities or better provision of sports facilities. Consequently, the proposal is contrary to paragraph 74 of the NPPF.
- 8.16. Notwithstanding this, paragraph 74 and Section 7 of the NPPF emphasise the importance of the long term retention of sports facilities and open spaces to contribute towards healthy communities. The proposal would reduce the amount of open space and would result in the loss of sports facilities but this would only be for a temporary period of 5 years after which the applicant proposes to dismantle the temporary buildings and reinstate the sports field and has provided a strategy which details this approach. Additionally, some of the existing facilities will be retained including a full size grass football pitch with minimum dimensions of 100 metres by 55 metres with a 3 meter run off.
- 8.17. The applicant has confirmed that the University will be ensuring that the quantum of use and fixtures that currently take place on the cricket pitch and junior football training pitch will be able to continue through agreements for use of adjacent College grounds. As a result, while there will be a loss of space on the application site, there will be a limited loss of activity with an equivalent provision in terms of quality and quantity being provided in suitable locations at Balliol College and New College. Agreements with these Colleges have already been secured. As such, Officers consider that the long term aims of the NPPF in supporting healthy communities would not be undermined as a result of the temporary erection of the proposed building.
- 8.18. Likewise, while the application site clearly contributes to the well-being of the University community (i.e. students and staff) Officers consider that the very limited use of the sports field by external community users demonstrates that the loss of part of the existing open-space would not be detrimental to the wider community. As such, the proposal found not to conflict with the objectives of Core Strategy Policy CS2.
- 8.19. In terms of Local Plan Policy SR2 paragraph (a) it is clear that there is a significant need for the development. As set out in paragraphs 8.2-8.3 the closure of the Tinbergen building has resulted in the loss of facilities for a large number of staff and students which requires a long term solution until the Tinbergen building can be re-opened. Equally, the closure of the existing building has occurred mid-way through the academic year which increases the

urgency of the need to re-provide the required facilities in the short term. As such, Officers consider that the requirements of paragraph (a) of Local Plan Policy SR2 have been satisfied.

- 8.20. The submitted planning statement extensively details the alternative immediate, short term and long term options which have been considered as solutions to the loss of the Tinbergen building. The immediate options consider the critical requirements needed to keep the Departments functioning until 24th April 2017. The short term options look to maintain critical teaching, research and studies until September 2017 and the medium term options consider alternative and comparable facilities from October 2017 onwards for up to 5 years until the Tinbergen building is in position to re-open.
- 8.21. The options appraisal concludes with the decanting of some of the required teaching, administration and research space within the University's own buildings, where possible. Agreements have been reached with other colleges to use space within their buildings where available, however, these arrangements cannot provide the amount of space needed to ensure that the Departments can continue to operate. The temporary building is therefore found to be the most appropriate long term solution. As such, Officers consider that the requirements of paragraph (b) of Local Plan Policy SR2 have been met.
- 8.22. As set out above the application would not replace the lost sports facilities with an equivalent or improved replacement. Therefore the application does not comply with the requirements of paragraph (c i) of Local Plan Policy SR2, however, the proposed use of the existing immediately adjacent College facilities which have adequate spare capacity is considered to satisfy the requirements of paragraph (c ii) of Local Plan Policy SR2.
- 8.23. Therefore, considering the exceptional circumstances arising from the closure of the Tinbergen building; the temporary nature of the proposed building, their clear and demonstrable need, the limited loss of existing sports facilities and the arrangements that have been secured to provide alternative arrangements on neighbouring sites, Officers consider that the proposal would not conflict with the aims of the NPPF and would be compliant with Core Strategy Policies CS2 and C21 and Local Plan Policies CP25 and SR2.

ii. **Heritage, Design and Impact on Character of Surrounding Area**

- 8.24. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy require that development proposals incorporate high standards of design and respect local character. The application site is also located within the Central Conservation Area and as such Local Plan Policy HE7 (Conservation Areas) is applicable.

Heritage

- 8.25. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that:

“In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

- 8.26. For development within Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area’s architectural or historic significance. This does not mean that no harm must ever be done to a Conservation Area but instead that consideration must be given to the balance of public benefits against harm.

- 8.27. Section 12 paragraph 134 of the NPPF also states that:

“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

- 8.28. The application site lies in close proximity to a number of listed buildings and within the designated boundary of the Central Conservation Area. The supporting heritage assessment identifies and sets out the heritage values of the various assets that have been identified and then considers the contribution that the site makes to the heritage values of the assets and their settings.

- 8.29. Officers agree with the conclusions of the heritage assessment with respect to the listed buildings that have been identified and the contribution of the site and the consequent impact that the proposed development will have.

- 8.30. In terms of the impact on the character and appearance of the Central Conservation Area Officers consider that harm would occur through the loss of open space and the introduction of the proposed building, partly as a result of its utilitarian appearance. The proposal would be visible in gaps between buildings and natural screening and seen in long views across this part of the conservation area currently characterised by open space which permits views of the large, departmental, science buildings when looking from south to north and views of the distinctive University Club building when looking from east to west. All of which are views which emphasise the distinctive characteristics of this part of the conservation area.

- 8.31. The proposed development would therefore result in harm to the aesthetic value of the Central Conservation Area. The harm would be less than substantial however the proposal would produce public benefits in the form of the retention of 201 jobs and the continued contribution to Oxford’s economy and knowledge base.

Design

- 8.32. The siting of the building has been informed by a desire to minimise the impact of the temporary building on the existing University Club Pavilion and the sports field and allows for the retention of the existing football pitch. The building is proposed to be positioned along a North-South axis which would allow for a green triangle of amenity space to be left between the proposed temporary building and the Pavilion for users of both buildings.
- 8.33. Access is proposed from the road to the North of the site for pedestrians, service vehicles and disabled car users. The proposal utilises the existing access routes and includes level access into the building.
- 8.34. The design of the building is based on a modular construction where modules are pre-fabricated off site and then assembled and finished on site. The internal arrangement includes 2 flexible teaching lab spaces with a central shared laboratory facility and prep room.
- 8.35. The proposed building would be single storey with a total height of 4 metres and Officers consider that due to the modest scale of the building combined with the extensive boundary screening and the scale of the surrounding existing buildings, the proposal would not be harmful to the visual amenity of the immediately surrounding area.
- 8.36. The proposed building would be utilitarian in appearance with a grey cladding finish (Merlin Grey). Fenestration is proposed to comprise top hung awning windows with frames in the matching grey finish and glazed doors also in the same matching colour. Once again, while the appearance of the building would be functional it is not found to be unduly incongruous or to create significant harm to the surrounding visual amenity.
- 8.37. The associated plant required for the building would be located externally to the south of the proposed building within a timber slatted enclosure. Officers are of the opinion that views of the plant enclosure would be limited and screened by the proposed building, the existing boundary treatment and the existing Pavilion Building. Therefore, this element of the proposal is considered to be acceptable.
- 8.38. External LED lighting is proposed around the perimeter of the building and on the wider application site. This comprises lighting bollards and 3 types of surface mounted bulkheads. Security cameras are proposed at key corners of the temporary building. A condition has been included to restrict the brightness of the proposed lighting in the interests of visual amenity.
- 8.39. In terms of landscaping the application proposes to retain all existing trees and planting and utilise a “no dig” temporary hardstanding to minimise the potential impact on the sports field. Considering the temporary nature of the proposal the proposed landscaping is found to be acceptable.
- 8.40. Officers conclude that the design of the proposed building is acceptable considering the temporary nature of the structure. It is considered that there will not be significant harm to the character of the surrounding area as a result of the

proposed building. Therefore, the proposal is found to comply with Policies CP1, CP6 and CP8 of the Oxford Local Plan and Policy CS18 of the Core Strategy.

iii. Impact on Neighbouring Amenity

- 8.41. The proposed building is located on the University Sports Field and would be surrounded to the north and west by University buildings. To the east lies the remaining sports field, which is bounded by substantial vegetation and St Cross Road. To the south is Balliol College Ground and again the boundary between the two sites comprises substantial vegetation.
- 8.42. Due to the siting of the proposed building, its modest height and the significant separation distances between the building and the nearest neighbouring buildings Officers are satisfied that the proposal will not result in harmful overlooking, overbearing or loss of light and the development complies with Policy HP14 of the Sites and Housing Plan (2013).

Noise

- 8.43. The applicant has submitted an acoustic report in support of the application. The closest noise sensitive receptors have been identified as the Department of Pharmacology at approximately 50 metres to the north, and residential dwellings in Mansfield Road at approximately 90 metres to the west of the development boundary.
- 8.44. Officers consider that due to the nature of the proposed use of the building and the significant separation distance from residential properties there will not be any harmful noise impacts arising from the proposed development. A condition has been included to ensure that there are appropriate controls in place in relation to mechanical plant noise.

iv. Highways and Traffic Impacts

Parking

- 8.45. The proposed building is located in close proximity to the existing Tinbergen Building and would not result in an increase in staff or student numbers. As such the relocation of facilities to the proposed temporary building would have a similar transport impact to that of the nearby Tinbergen Building, albeit with different access arrangements on a local level.
- 8.46. There are currently 37 vehicle parking spaces at the Tinbergen building of which 17 are allocated to the Departments of Zoology and Biochemistry. These spaces are not available for use while the building is out of use. The current application does not include the provision of any car parking spaces with the exception of 2 disabled parking spaces which are proposed within a layby on the access road.
- 8.47. Officers and the Local Highway Authority consider that given the site is located within the highly accessible Transport Central area of the city, and the current on-street parking controls present locally, the proposals would be acceptable and

would encourage sustainable transport to the site.

- 8.48. It is proposed that 2 disabled parking bays are provided within the proposed service lay-by along the southern part of the existing access road. However, the details shown on the submitted plans indicate that the width of this lay-by would be insufficient to accommodate the required minimum dimensions for disabled parking bays. The Local Highway Authority's design guidance requires disabled parking spaces that are in a parallel arrangement to have a length of 6.5 metres and a width of 2.9 metres with an additional 1 metre adjacent to the parking space to allow for safe and easy access to the space for those with mobility difficulties.
- 8.49. However the Local Highway Authority's guidance applies to the public highway and these spaces are proposed within a private access road therefore no objections have been raised to the proposal on these grounds.

Cycle Parking

- 8.50. The application proposes 82 cycle parking spaces to be provided along the main approach to the entrance of the building. The long-term staff cycle parking would be covered.
- 8.51. Cycle parking is provided at a ratio of one space per 3 students and one space per 2.8 staff. The Adopted Parking Standards SPD sets out that cycle parking should be provided at a ratio of one space per 2 students and plus one space per five staff. Therefore, while the level of cycle parking proposed for students is less than that required under the parking standards SPD, the level of cycle parking for staff is higher. As such, the total number of spaces provided compliant with local policies.
- 8.52. A condition to secure details of the cycle parking has been included. The County Council would recommend that use of the cycle parking provision is monitored with additional spaces provided if required for student use.

Site Access and Servicing Arrangements

- 8.53. The existing access from Mansfield Road would be utilised for pedestrian, cycle and servicing access to the proposed development. The site access road currently provides service access to the Tinsley Building and the Pharmacology Department.
- 8.54. A new service lay-by is also proposed alongside the southern stretch of the access road, near to the proposed temporary building. The swept path analysis submitted with the application demonstrates that a 10 metre rigid HGV, which would be the largest vehicle expected to require access to the site for servicing purposes, would be able to enter and turn within the site in order to reverse into the lay-by (and exit the site in a forwards gear). This manoeuvre would require the vehicle to reverse within the site for a distance of around 30m which ideally would be avoided however the Local Highways Authority has not objected to the application on these grounds.

8.55. Therefore, Officers consider the site access and service arrangements to be acceptable. A condition has been included to secure the submission of a Construction Traffic Management Plan (CTMP) as the submitted CTMP was missing the required detail.

v. Archaeology

8.56. At the time of writing this report Officers have insufficient information to confirm the impacts on archaeological assets. Officers are working with the applicant to secure this information and will consider the required details to assess whether the proposal would be acceptable in this regard.

8.57. In the absence of these details Members are requested to approve the principle of the development and delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to assess the required information. If this information is found to be acceptable Members are requested to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to approve the application. In the event that the details are unacceptable and no resolution can be found the application would need to be brought back to committee with a recommendation for refusal.

vi. Other Matters

8.58. Officers have considered flooding, land contamination, energy and biodiversity impacts and impact on trees and have found the proposal to be acceptable subject to the conditions set out in section 10 of this report.

9. CONCLUSION

9.1. Officers consider there to be exceptional circumstances arising from the closure of the Tinbergen building which, to ensure the continued function of the Departments of Zoology and Biochemistry, warrant the erection of a temporary building. The temporary nature of the proposed building; the clear and demonstrable need for the facilities; the limited loss of existing sports facilities and the arrangements that have been secured to provide alternative arrangements on neighbouring sites have led Officers to conclude that the proposal would not conflict with the aims of the NPPF and would be compliant with Core Strategy Policies CS2 and C21 and Local Plan Policies CP25 and SR2.

9.2. The proposal would not be detrimental to the character of the surrounding Conservation Area and is considered to comply with Policies CP1, CP6, CP8 and HE7 of the Oxford Local Plan and Policy CS18 of the Core Strategy.

9.3. Due to the significant separation distance between the proposed building and the neighbouring properties the proposal is considered to be acceptable in terms of its impact on neighbouring amenity and noise.

9.4. Highways, flooding, land contamination and biodiversity impacts and the impact on existing trees is found to be acceptable.

- 9.5. The impact of the proposed building on archaeology has not been confirmed but Officers intend to work with the applicant to secure suitable details to ensure that there will be no harm arising from the development.
- 9.6. Therefore, it is recommended that the West Area Planning Committee resolve to grant planning permission for the development proposed subject to conditions set out in section 10 of this report.

10. CONDITIONS

1. Temporary Consent

This permission shall be for a limited period of 5 years only, from the date of this permission. After this date the building(s) and works carried out under this permission shall be removed. Within three months of the temporary building hereby permitted and other associated structures removal [or In the first planting season following removal], the playing field land shall be reinstated to a playing field of a quality at least equivalent to the quality of the playing field immediately before the temporary building and associated structures were erected. The work shall be carried out to the satisfaction of the Local Planning Authority unless prior to that date a renewal of the permission shall have been approved in writing by the Local Planning Authority.

Reason: The temporary nature of the building is such that it is considered inappropriate on a permanent basis in accordance with policies CP1 and CP25 of the Adopted Oxford Local Plan 2001-2016; to ensure the site is restored to a condition fit for purpose; and to accord with the National Planning Policy Framework.

2. Development in Accordance with Approved Plans

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. Materials

The materials to be used in the new development shall be as shown on the approved plans and as detailed within the submitted Design and Access Statement. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4. Artificial Lighting (external)

The development shall not be occupied until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone – E3 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

5. Noise – Mechanical Plant / Ventilation & Air Conditioning

In respect of any proposed air conditioning, mechanical ventilation or associated plant, the applicant shall ensure that the existing noise level is not increased when measured one metre from the nearest noise sensitive premises. In order to achieve this the plant must be designed / selected or the noise attenuated so that it is no greater than 35 dB LA90,1h daytime and 33 dB L90,15min, night time.

Reason: To maintain the existing noise climate and prevent ambient noise creep in the interests of residential amenities in accordance with policies CP1, CP10, CP19 and CP21 Oxford Local Plan 2001-2016.

6. Landscape – Underground Services (Tree Roots)

Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction- Recommendations'. Works shall only be carried in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1,CP11 and NE15.

7. Landscape – Tree Protection Plan (Tree Roots)

Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and

Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

8. Drainage

Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The plans, calculations and drainage details submitted shall demonstrate that;

- i. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event.
- ii. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- iii. Excess surface water runoff must be stored on site and released to receiving system at greenfield rates.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

9. Sustainable Urban Drainage (SUDS)

Prior to the commencement of development, a Sustainable Drainage (SUDs) Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The Sustainable Drainage (SUDs) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The Sustainable Drainage Maintenance Plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

10. Drainage Infrastructure

Prior to the occupation of the development the drainage infrastructure shall be

constructed in accordance with the approved details and thereafter retained and maintained.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011- 2026.

11. Construction Traffic Management Plan (CTMP)

The details of the Construction Traffic Management Plan must be agreed by Local Planning Authority in consultation with the Highway Authority prior to commencement of works. This should identify:

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents and neighbours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

12. Community Use

Use of the development shall not commence until details of the temporary relocation of each of the existing community groups that use the application site submitted to and approved in writing by the Local Planning Authority. These shall include, as a minimum, the location of the alternative provision, a summary of facilities available, hours of use and confirmation that the relocation will not impact on existing community sports teams.

The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

13. Cycle Parking

Prior to use or occupation of the new development a cycle parking strategy which includes covered and secure cycle parking, shall be provided within the curtilage of the site. The location and type of this provision should be submitted and agreed by the Local Planning Authority in writing.

Reason: To encourage the use of sustainable modes of transport.

Informatives

1. Vegetation clearance outside the bird nesting season

Removal of vegetation and demolition of buildings shall be undertaken outside of bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest.

2. Bats

The applicant and contractors should be aware that all bats and any structures or trees used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England.

Before the removal of limbs from the trees adjacent to the point of access, a visual check for bats must be carried out by a suitably experienced ecologist immediately prior to the work being carried out. Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0845 1300228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained

3. Restoration Scheme

It is recommended that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association and the England & Wales Cricket Board (<http://www.ecb.co.uk/be-involved/club-support/club-facility-management/surface-types>)

4. Community Use Agreements

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications>

5. APPENDICES

Appendix 1 – Site Location Plan

1. HUMAN RIGHTS ACT 1998

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

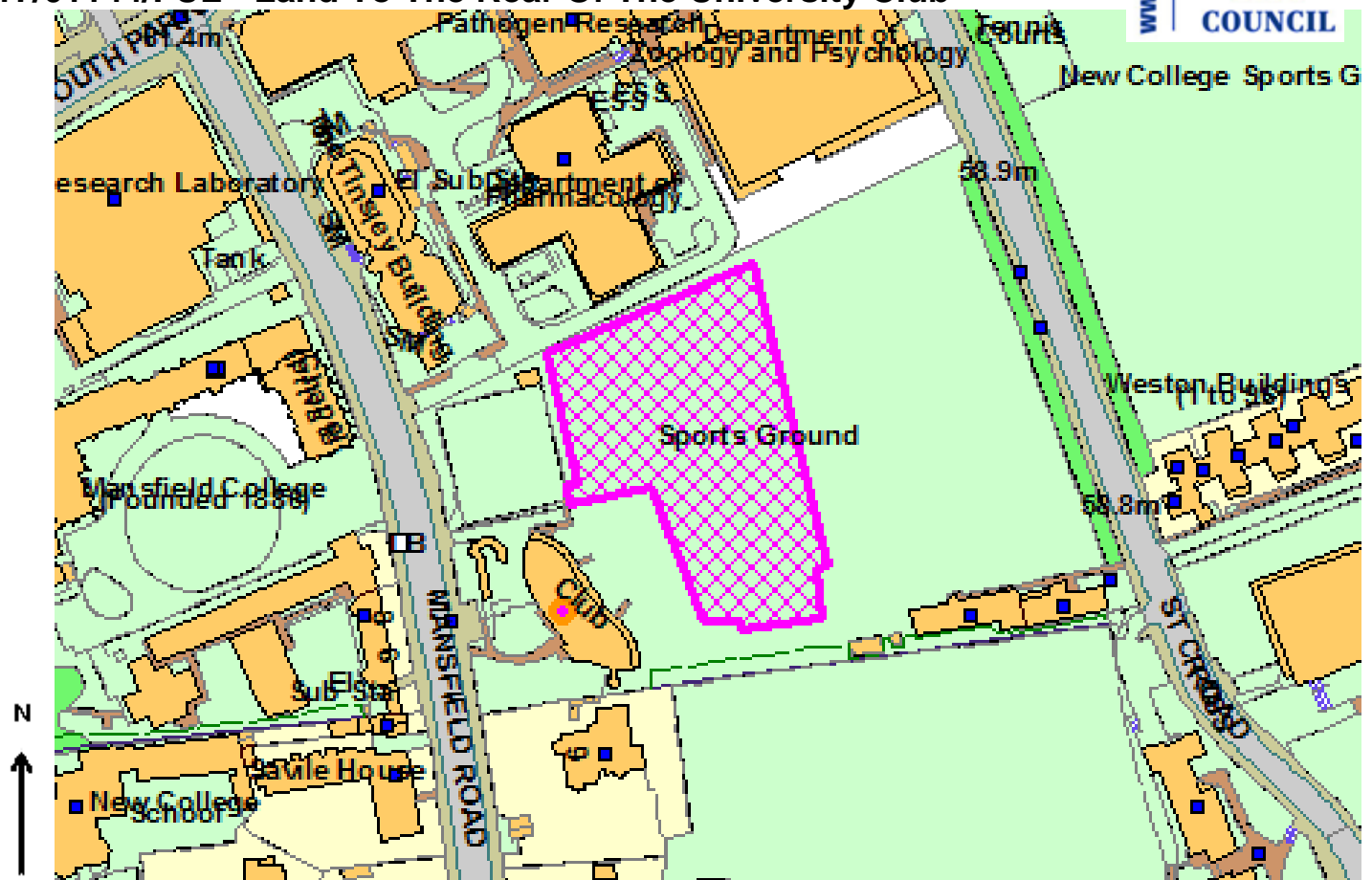
2. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

10.2. 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 refusal of planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community

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Appendix 1

17/01144/FUL - Land To The Rear Of The University Club



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Ordnance Survey 100019348

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WEST AREA PLANNING COMMITTEE

11th July 2017

Application Number: 17/01259/FUL

Decision Due by: 4th September 2017

Extension of Time: Not Applicable

Proposal: Erection of a research and administrative modular building for the department of Zoology (Use Class D1) for a temporary period of 5 years.

Site Address: Land To The Rear Of The University Club, 11 Mansfield Road, Oxford, Oxfordshire, OX1 3SZ

Ward: Holywell Ward

Agent: Mr Michael Crofton-Briggs **Applicant:** The University of Oxford

Reason at Committee: Major Application

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

(a) Agree to grant temporary planning permission for a period of five years for the reasons given in the report and subject to:

1. The satisfactory submission and assessment of archaeological details to demonstrate that there would not be harm to archaeological assets resulting from the proposed development;
2. Confirmation from the Secretary of State that the application will not be 'called in', following the referral of the application in accordance with The Town and Country Planning (Consultation) (England) Direction 2009;
3. The required planning conditions set out in section 10 of this report.

Or, if the objections from Sport England and the Council's Archaeologist are withdrawn or modified in advance of the committee meeting then the following is recommended:

(b) Agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Consider the required archaeological details, determine whether the proposal would result in harm to archaeological assets; and subject to Officer's being satisfied with the archaeological details, grant planning permission on this

basis;

2. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

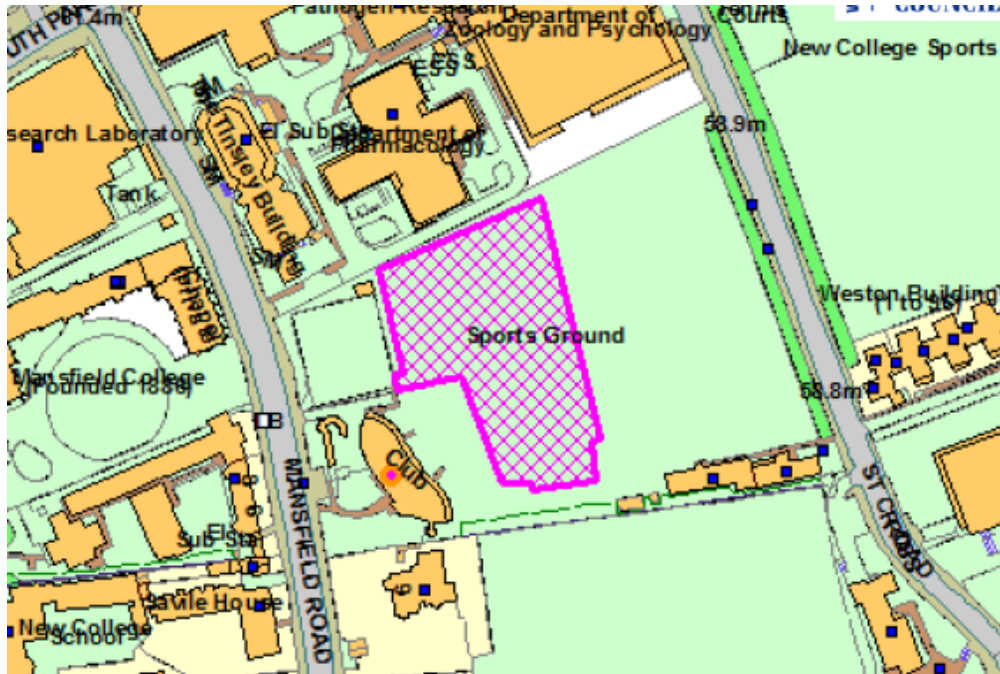
2. EXECUTIVE SUMMARY

- 2.1. This report considers an application for the erection of a research and administrative modular building for the department of Zoology (Use Class D1) for a temporary period of 5 years.
- 2.2. The key matters for assessment set out in this report include the following:
 - Principle of development;
 - Heritage, design and impact on the character of the surrounding area;
 - Impact on neighbouring amenity;
 - Highways and traffic impacts;
 - Archaeology;
 - Other Matters - Ecology; Flood Risk; Trees; Air Quality
- 2.3. Officers consider there to be exceptional circumstances arising from the closure of the Tinbergen building which, to ensure the continued function of the Departments of Zoology and Biochemistry, warrant the erection of a temporary building.

3. SITE AND SURROUNDINGS

- 3.1. The application site is located on the western side of the University Club Field, Mansfield Road, Oxford. The site comprises an open sports ground behind the University Club, situated between St Cross Road to the east and Mansfield Road to the west.
- 3.2. To the south is the boundary between the University Club sports ground and Balliol College sports ground. The northern boundary is formed by a number of buildings that make up part of the University's science area, including the Tinbergen Building, the Tinsley Building and Pharmacology.
- 3.3. The site lies within the Central Conservation Area boundary. The site is within Flood Zone 1.

3.4. A site location plan is provided below:



3.5. The application site shown above comprises two development parcels. This application considers the northern site as shown on the block plan below. The southern site, marked as 'Teaching Laboratories', is the subject of application 17/01144/FUL which is currently under consideration by Officers.



4. PROPOSAL

- 4.1. The application proposes the erection of a research and administrative modular building for the Department of Zoology (Use Class D1) for a temporary period of 5 years.
- 4.2. The proposed building is a two - three storey modular building which would measure 3,255 m² in size, 53 metres by 30 metres. The building would be between 8.2 metres - 12.2 metres in height.
- 4.3. The proposal would be constructed from 99 modular units, based around a steel frame and is proposed to be clad in a composite insulated panel system with a plastic coated steel cladding with a mid-grey colour finish. The proposals would involve the excavation and construction of foundations.
- 4.4. The proposed layout would be comprised of the following:

Ground Floor

- flexible research laboratories
- associated temperature control rooms for invertebrates (flies, spiders, aphids and sea urchins)
- ancillary facilities (IT, Instrument Rooms, WC provision)
- seminar and a number of flexible office spaces.

First Floor

- open plan research office accommodation
- one & two person research offices
- administrative offices

5. RELEVANT PLANNING HISTORY

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

Application Reference	Description of Development	Decision
01/01725/FUL	Demolish existing Pavilion/grounds man's flat. Erect 4 storey building incorporating sports and leisure uses on 3 floors and 14 bedrooms on 3rd floor with plant in roof space. Artificial surface to tennis courts.	Approved October 2002
01/01724/CAC	Conservation Area consent for demolition of existing pavilion/grounds man's flat.	Approved October 2002
01/01725/FUL	Demolish existing Pavilion/grounds man's flat. Erect 4 storey building incorporating sports and leisure uses on 3 floors and 14 bedrooms on 3rd floor with plant in roof space. Artificial surface to tennis courts.	Approved October 2002

06/00679/FUL	Erection of 8 x 8m high flood lighting columns around perimeter of multi-use games area.	Approved 12 th May 2006
15/03105/FUL	Erection of 2 storey extension together with rear extensions to the roof pods at levels D, E and F, new entrance, lay-bys and nitrogen tank.	Approved 20 th January 2016

5.2. The table below sets out other applications submitted by Oxford University as a result of the closure of the Tinbergen Building:

Application Reference	Description of Development	Decision
17/01144/FUL (Land To The Rear Of The University Club, 11 Mansfield Road)	Erection of a teaching laboratory modular building for the Departments of Zoology and Biochemistry (Use Class D1) for a temporary period of 5 years.	Decision Pending
17/01187/FUL (Plot K Radcliffe Observatory Quarter Woodstock Road)	Research modular building for the Department of Experimental Psychology as academic non-residential institution use (Class D1) for a temporary period of five years.	Decision Pending

6. RELEVANT PLANNING POLICY

6.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Other Planning Documents
Design	7 Paragraphs 56 - 68	CP.1, CP.6, CP.8, CP.9, CP.10, CP.13, CP.25	CS18	
Conservation/Heritage	12 Paragraphs 126 – 141, of particular relevance is paragraphs 128, 129 134 and 135	HE.7		
Natural Environment	11 Paragraphs 109 – 125,	CP.11, NE.16, NE.21, NE.22	CS2, CS9, CS11, CS12	

Social and community	8 Paragraphs 69 – 78, of particular relevance is paragraph 74.	SR.2	CS19, CS21, CS29	
Transport	4 Paragraphs 29 - 41	TR.1, TR.2, TR.3, TR.4, TR.6, TR.12, TR.13	CS13	Parking Standards SPD
Environmental	10 Paragraphs 93 - 108	CP.20, CP.21, CP.22, CP.23	CS10	Energy Statement TAN

7. CONSULTATION RESPONSES

- 7.1. Site notices were displayed around the application site on 7th June 2017 and an advertisement was published in the Oxford Times newspaper on 8th June 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 7.2. No objection on the basis that given that the proposal is located in close proximity to the Tinbergen Building, the transport impact would be limited. Suggested conditions to secure a Construction Transport Management Plan (CTMP), drainage details and cycle parking.

Sport England

- 7.3. Sport England have objected to the proposal on the basis that it would lead to the loss of use, of land being used as a playing field. Sport England have requested that if permission is granted the consent should only be valid for 3 years (rather than 5 years as applied for). They have also requested additional details of where the displaced junior football teams can be accommodated; that the proposed building be moved to ensure there is emergency access to the retained playing field; and that the building is moved to ensure the retained pitch can still meet the Step 7 ground grading requirements. Discussions between Officers, the applicant and Sport England are on-going.
- 7.4. If the application is recommended for approval they have requested a condition to ensure that the playing field is replaced with a field that is at least equivalent quality as the existing and a condition to secure community use of the field for the future.
- 7.5. If the West Area Planning Committee is minded to approve the application Sport England have requested that the application be referred to the Secretary of State in accordance with The Town and Country Planning (Consultation) (England) Direction 2009.

Heritage Officer

- 7.6. No objections but stated that the proposal would result in less than substantial harm to the Central Conservation Area and therefore, this must be weighed against any public benefits.

Tree Officer

- 7.7. No objections subject to conditions to ensure that trees are adequately protected during the construction phases and to ensure that any new underground utility services and drainage avoid damage to tree roots.

Biodiversity Officer

- 7.8. No objections subject to informatives relating to the protection of bats and relating to vegetation clearance and nesting birds.

Flood Mitigation Officer

- 7.9. No objections subject to conditions relating to Sustainable Urban Drainage (SuDs) and the construction and on-going maintenance of the drainage infrastructure.

Environmental Health (Noise) Officer

- 7.10. No objections subject to a condition to ensure appropriate noise levels of mechanical plant/ ventilation/ air conditioning.

Archaeology Officer

- 7.11. Objected to the proposal due to insufficient information being supplied at the time of writing this report. Specific concerns have been expressed about the construction of the foundations of the building and the potential for impact on archaeology.

Other

- 7.12. The following consultees raised no objection:
- Natural England;
 - Oxford Preservation Trust;
 - Air Quality Officer;
 - Land Quality Officer (Contamination).
- 7.13. The following consultees provided a response of no comment:
- Historic England;
 - Environment Agency.
- 7.14. The following consultees did not provide a response:
- Oxford Civic Society

Public representations

7.15. No public comments have been received at the time of writing this report.

Officer Response

- 7.16. In terms of Sport England's comments Officers have considered the suggested conditions and agree that it is reasonable to require that following the removal of the proposed temporary building the playing field should be reinstated to an equivalent quality.
- 7.17. Considering the current use of the playing field which includes a proportion of community use Officers do not consider it to be reasonable to seek to secure further community use by way of a condition. As such the suggested wording from Sport England has not been used. Instead Officers require that details of the temporary relocation of the community groups are provided for each community group to be displaced. These shall include, as a minimum, the location, a summary of facilities available and confirmation that the relocation will not impact on existing community sports teams.
- 7.18. In terms of archaeology, while there is currently insufficient information to establish whether the proposal would impact on the archaeology of the site, Officers are working closely with the applicant to secure further details to ensure that the proposal would not result in harm to archaeological assets. There are specific concerns about the excavation and construction of foundations which has given rise to the need to seek additional information in relation to archaeology.

8. PLANNING MATERIAL CONSIDERATIONS

8.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Heritage, design and impact on the character of the surrounding area;
- iii. Impact on neighbouring amenity;
- iv. Highways and traffic impacts;
- v. Archaeology;
- vi. Energy
- vii. Other Matters - Ecology; Flood Risk; Trees; and Air Quality.

i. Principle of Development

8.2. In assessing the acceptability of the principle of development it is important to first set out the relevant background which has led to the current submission. The proposed temporary building would be used to accommodate staff and students from the Departments of Zoology and Chemistry. Until Monday 13th February 2017 these departments were located within the Tinbergen building (located to the north of the application site) however during renovation works it was discovered that the levels of asbestos within the building were more

extensive than previously thought and it became apparent that works could no longer be effectively managed while the building was still occupied.

8.3. The total net usable area of the building (as of December 2016) was 14,377m². For the academic year 2016/2017 there were 201 staff, 159 post graduates and, 328 undergraduates within the Department of Zoology and 16 staff and 400 undergraduates within the Biochemistry building using the Tinbergen building. The closure of the Tinbergen building has resulted in the loss of facilities for these students and staff and the application for a temporary building forms part of the strategy to address this problem. The applicant has identified the following types of spaces are required as part of the re-provision:

- Standard office space/meeting rooms;
- Laboratory space and research write up facilities;
- Specialist laboratory space;
- Space with specialist equipment for key research projects, including Cat 2 and Cat 3 facilities¹ ;
- Teaching space with and without laboratory provision. The teaching labs provide space for approximately 240 students across the departments at any one time, of a total of approximately 350-500 students across the two undergraduate courses.
- Subject testing rooms and ancillary support space.

8.4. Core Strategy Policy CS29 (The Universities) states that planning permission will be granted for new academic floorspace on existing University of Oxford sites where proposals respect the character and setting of Oxford's historic core. The supporting text for the policy emphasises the significant contribution that Oxford University makes to the growth and competitiveness of Oxford's economy and the benefits arising in terms of skills, employment and wealth creation. The University of Oxford is a world-renowned centre of academic excellence as well as one of the largest employers in Oxford. Officers are mindful that the closure of the Tinbergen Building without any replacement provision would have a serious and detrimental impact on both the staff and students at Oxford University but also would have resonating impacts for the wider economy of Oxford. Therefore, the erection of a building to mitigate against the loss of facilities is supported on the basis that all other determining issues are found to be acceptable.

8.5. Local Plan Policy CP25 (Temporary Buildings) states that permission will only be granted for temporary buildings when the short term need has been clearly demonstrated. Officers consider that the submitted details demonstrate a clear need for the proposed building to ensure that the displaced Departments can continue to operate in both the short and long term.

8.6. Policy CP25 also states that temporary buildings need to ensure that they do not adversely affect visual attractiveness, trees or parking provision; and adequately address, where appropriate landscaping; noise insulation; access for people with disabilities; relationship to existing buildings; prejudice future developments; access points; and provide a suitable external appearance.

- 8.7. The qualifying criteria set out in Policy CP25 are considered further in this report. Officers consider the principle of a temporary building on the site to be acceptable due to the exceptional circumstances arising from the closure of the Tinbergen building.
- 8.8. The application site is located within the sports playing field of Oxford University. There are a number of national and local policies which protect open space and sports and leisure provision that are therefore applicable to this application.
- 8.9. Paragraph 74 of the National Planning Policy Framework (NPPF) states that there should not be development on sports fields unless the following criteria is met:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 8.10. Oxford City Council development plan policies also emphasise support for the retention of sports pitches. Within the Core Strategy Policy CS2 (Previously Developed and Greenfield Land) states that proposals for development on open space will only be acceptable where the need for the development of the land can be demonstrated if the open space is not required for the well-being of the community it serves. Core Strategy Policy CS21 (Green Spaces, Leisure and Sport) further states that permission will only be granted for development resulting in the loss of existing sports and leisure facilities if alternative facilities can be provided and if no deficiency is created in the area.
- 8.11. Likewise, within the Local Plan, Policy SR2 (Protection of Open Air Sports Facilities) states that planning permission will only be granted where:
- a) there is a need for the development;
 - b) there are no alternative non-greenfield sites; and
 - c) the facility can be replaced by either:
 - i. providing an equivalent or improved replacement facility; or
 - ii. upgrading an existing facility.
- 8.12. Currently the field is well used by various sports groups comprising the following:
- Football: The site is currently used by community football team Mansfield Road FC, a club containing 2 men's and 2 Women's teams plus a junior section for cU6 to U8. In terms of University and College Staff there are approximately 60-65 adult games a year from September through to April (Michaelmas and Hilary terms). There are 30-40 Saturday morning junior football games. The junior team plays on small sided pitch.

Cricket: There is a weekend University Staff cricket club which plays mainly on Sundays throughout summer from the end of April through to end of August (Trinity Term). There are approximately 14-16 matches a year on grass wickets. The Jack Cox competition is also held which comprises 16 University Department cricket teams playing evening cricket league/cup with approximately 46 games a year, played on artificial wicket.

Archery: Staff Archery group takes place on 1-2 nights a week during summer months. There are approximately 20 Archery sessions in total.

- 8.13. There is only occasional external club or 'social' cricket booking and no booking have been taken so far for 2017.
- 8.14. The proposal would result in the loss of some of the sports facilities currently provided at the University Club Field namely the cricket facility (both grass wickets and artificial wicket) together with the junior football training pitch. The main impact will be on the junior football teams as their teams will lose their playing and training facilities.
- 8.15. The extent of the use and the current demand for the facilities clearly demonstrates that the open space is not surplus to the requirements of the University. Also, as the proposal seeks the erection of a teaching building it would not result in the replacement of the existing facilities or better provision of sports facilities. Consequently, the proposal is contrary to paragraph 74 of the NPPF.
- 8.16. Notwithstanding this, paragraph 74 and Section 7 of the NPPF emphasise the importance of the long term retention of sports facilities and open spaces to contribute towards healthy communities. The proposal would reduce the amount of open space and would result in the loss of sports facilities but this would only be for a temporary period of 5 years after which the applicant proposes to dismantle the temporary buildings and reinstate the sports field and has provided a strategy which details this approach. Additionally, some of the existing facilities will be retained including a full size grass football pitch with minimum dimensions of 100 metres by 55 metres with a 3 meter run off.
- 8.17. The applicant has confirmed that the University will be ensuring that the quantum of use and fixtures that currently take place on the cricket pitch and junior football training pitch will be able to continue through agreements for use of adjacent College grounds. As a result, while there will be a loss of space on the application site, there will be a limited loss of activity with an equivalent provision in terms of quality and quantity being provided in suitable locations at Balliol College and New College. Agreements with these Colleges have already been secured. As such, Officers consider that the long term aims of the NPPF in supporting healthy communities would not be undermined as a result of the temporary erection of the proposed building.
- 8.18. Likewise, while the application site clearly contributes to the well-being of the University community (i.e. students and staff) Officers consider that the very limited use of the sports field by external community users demonstrates that the

loss of part of the existing open-space would not be detrimental to the wider community. As such, the proposal found not to conflict with the objectives of Core Strategy Policy CS2.

- 8.19. In terms of Local Plan Policy SR2 paragraph (a) it is clear that there is a significant need for the development. As set out in paragraphs 8.2 -8.3 the closure of the Tinbergen building has resulted in the loss of facilities for a large number of staff and students which requires a long term solution until the Tinbergen building can be re-opened. Equally, the closure of the existing building has occurred mid-way through the academic year which increases the urgency of the need to re-provide the required facilities in the short term. As such, Officers consider that the requirements of paragraph (a) of Local Plan Policy SR2 have been satisfied.
- 8.20. The submitted planning statement extensively details the alternative immediate, short term and long term options which have been considered as solutions to the loss of the Tinbergen building. The immediate options consider the critical requirements needed to keep the Departments functioning until 24th April 2017. The short term options look to maintain critical teaching, research and studies until September 2017 and the medium term options consider alternative and comparable facilities from October 2017 onwards for up to 5 years until the Tinbergen building is in position to re-open.
- 8.21. The options appraisal concludes with the decanting of some of the required teaching, administration and research space within the University's own buildings, where possible. Agreements have been reached with other colleges to use space within their buildings where available, however, these arrangements cannot provide the amount of space needed to ensure that the Departments can continue to operate. The temporary building is therefore found to be the most appropriate long term solution. As such, Officers consider that the requirements of paragraph (b) of Local Plan Policy SR2 have been met.
- 8.22. As set out above the application would not replace the lost sports facilities with an equivalent or improved replacement. Therefore the application does not comply with the requirements of paragraph (c i) of Local Plan Policy SR2, however, the proposed use of the existing immediately adjacent College facilities which have adequate spare capacity is considered to satisfy the requirements of paragraph (c ii) of Local Plan Policy SR2.
- 8.23. Therefore, considering the exceptional circumstances arising from the closure of the Tinbergen building; the temporary nature of the proposed building, their clear and demonstrable need, the limited loss of existing sports facilities and the arrangements that have been secured to provide alternative arrangements on neighbouring sites, Officers consider that the proposal would not conflict with the aims of the NPPF and would be compliant with Core Strategy Policies CS2 and C21 and Local Plan Policies CP25 and SR2.

ii. **Heritage, Design and Impact on Character of Surrounding Area**

8.24. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy require that development proposals incorporate high standards of design and respect local character. The application site is also located within the Central Conservation Area and as such Local Plan Policy HE7 (Conservation Areas) is applicable.

Heritage

8.25. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that:

“In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

8.26. For development within Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area’s architectural or historic significance. This does not mean that no harm must ever be done to a Conservation Area but instead that consideration must be given to the balance of public benefits against harm.

8.27. Section 12 paragraph 134 of the NPPF also states that:

“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

8.28. The application site lies in close proximity to a number of listed buildings and within the designated boundary of the Central Conservation Area. The supporting heritage assessment identifies and sets out the heritage values of the various assets that have been identified and then considers the contribution that the site makes to the heritage values of the assets and their settings.

8.29. Officers agree with the conclusions of the heritage assessment with respect to the listed buildings that have been identified and the contribution of the site and the consequent impact that the proposed development will have.

8.30. In terms of the impact on the character and appearance of the Central Conservation Area Officers consider that harm would occur through the loss of open space and the introduction the proposed building, partly as a result of its utilitarian appearance. The proposal would be visible in gaps between buildings and natural screening and seen in long views across this part of the conservation area currently characterised by open space which permits views of the large, departmental, science buildings when looking from south to north and views of the distinctive University Club building when looking from east to west. All of

which are views which emphasise the distinctive characteristics of this part of the conservation area.

- 8.31. The proposed development would therefore result in harm to the aesthetic value of the Central Conservation Area. The harm would be less than substantial however the proposal would produce public benefits in the form of the retention of 201 jobs and the continued contribution to Oxford's economy and knowledge base.

Design

- 8.32. The siting of the building has been informed by a desire to minimise the impact of the temporary building on the existing University Club Pavilion and the sports field and allows for the retention of the existing football pitch. The building would be positioned along a West-East axis allowing for an appropriate alignment with the proposed teaching modular building (see application 17/01144/FUL) to enable a shared entrance and to allow maximum efficiency of the use of the space for the existing football pitch to be retained.
- 8.33. Access is proposed from the road to the North of the site for pedestrians, service vehicles and disabled car users. The proposal utilises the existing access routes and includes level access into the building.
- 8.34. The design of the building is based on a modular construction where modules are pre-fabricated off site and then assembled and finished on site. Rooms that require natural light are proposed around the perimeter of the building, with spaces not requiring natural light proposed in the deep plan part of the building. Roof lights are proposed to provide the office accommodation located in the deep section of the first floor plan with natural light.
- 8.35. The proposed building would be two- three storey with a total height of 12.2 metres and Officers consider that due to the modest scale of the building combined with the extensive boundary screening and the scale of the surrounding existing buildings, the proposal would not be harmful to the visual amenity of the immediate surrounding area.
- 8.36. The proposed building would be utilitarian in appearance with a grey cladding finish (Merlin Grey). Fenestration is proposed to comprise top hung awning windows with frames in the matching grey finish and glazed doors also in the same matching colour. Once again, while the appearance of the building would be functional it is not found to be unduly incongruous or to create significant harm to the surrounding visual amenity.
- 8.37. The associated plant required for the building would be located externally on the roof of the proposed building within a metal louvre enclosure. Officers are of the opinion that views of the plant enclosure would be predominantly screened from views from the north, south and east by the existing boundary treatment and the existing buildings. Glimpsed views of the building from the west would be visible however, considering the limited period of time for which the building would be visible, Officers do not consider this to create significant, substantiated harm.

Therefore, this element of the proposal is considered to be acceptable.

- 8.38. External LED lighting is proposed around the perimeter of the building and on the wider application site. This comprises lighting bollards and 3 types of surface mounted bulkheads. Security cameras are proposed at key corners of the temporary building. A condition has been included to restrict the brightness of the proposed lighting in the interests of visual amenity.
- 8.39. In terms of landscaping the application proposes to retain all existing trees and planting and utilise a “no dig” temporary hardstanding to minimise the potential impact on the sports field. Considering the temporary nature of the proposal the proposed landscaping is found to be acceptable.
- 8.40. Officers conclude that the design of the proposed building is acceptable considering the temporary nature of the structure. It is considered that there will not be significant harm to the character of the immediate surrounding area as a result of the proposed building. Therefore, the proposal is found to comply with Policies CP1, CP6 and CP8 of the Oxford Local Plan and Policy CS18 of the Core Strategy.

iii. Impact on Neighbouring Amenity

- 8.41. The proposed building is located on the University Sports Field and would be surrounded to the north and west by University buildings. To the east lies the remaining sports field, which is bounded by substantial vegetation and St Cross Road. To the south is Balliol College Ground and again the boundary between the two sites comprises substantial vegetation.
- 8.42. Due to the siting of the proposed building and the significant separation distances between the building and the nearest neighbouring buildings Officers are satisfied that the proposal will not result in harmful overlooking, overbearing or loss of light. The development is considered to comply with the requirements of Policy HP14 of the Sites and Housing Plan (2013).

Noise

- 8.43. The applicant has submitted an acoustic report in support of the application. The closest noise sensitive receptors have been identified as the Department of Pharmacology at approximately 50 metres to the north, and residential dwellings in Mansfield Road at approximately 90 metres to the west of the development boundary.
- 8.44. Officers consider that due to the nature of the proposed use of the building and the significant separation distance from residential properties there will not be any harmful noise impacts arising from the proposed development. A condition has been included to ensure that there are appropriate controls in place in relation to mechanical plant noise.

iv. Highways and Traffic Impacts

Parking

- 8.45. The proposed building is located in close proximity to the existing Tinbergen Building and would not result in an increase in staff or student numbers. As such the relocation of facilities to the proposed temporary building would have a similar transport impact to that of the nearby Tinbergen Building, albeit with different access arrangements on a local level.
- 8.46. There are currently 37 vehicle parking spaces at the Tinbergen building of which 17 are allocated to the Departments of Zoology and Biochemistry. These spaces are not available for use while the building is out of use. The current application does not include the provision of any car parking spaces with the exception of 2 disabled parking spaces which are proposed within a layby on the access road.
- 8.47. Officers and the Local Highway Authority consider that given the site is located within the highly accessible Transport Central area of the city, and the current on-street parking controls present locally, the proposals would be acceptable and would encourage sustainable transport to the site.
- 8.48. It is proposed that 2 disabled parking bays are provided within the proposed service lay-by along the southern part of the existing access road. However, the details shown on the submitted plans indicate that the width of this lay-by would be insufficient to accommodate the required minimum dimensions for disabled parking bays. The Local Highway Authority's design guidance requires disabled parking spaces that are in a parallel arrangement to have a length of 6.5 metres and a width of 2.9 metres with an additional 1 metre adjacent to the parking space to allow for safe and easy access to the space for those with mobility difficulties.
- 8.49. However the Local Highway Authority's guidance applies to the public highway and these spaces are proposed within a private access road therefore no objections have been raised to the proposal on these grounds.

Cycle Parking

- 8.50. The application proposes 82 cycle parking spaces to be provided along the main approach to the entrance of the building. The long-term staff cycle parking would be covered.
- 8.51. Cycle parking is provided at a ratio of one space per 3 students and one space per 2.8 staff. The Adopted Parking Standards SPD sets out that cycle parking should be provided at a ratio of one space per 2 students and plus one space per five staff. Therefore, while the level of cycle parking proposed for students is less than that required under the parking standards SPD, the level of cycle parking for staff is higher. As such, the total number of spaces provided compliant with local policies.
- 8.52. A condition to secure details of the cycle parking has been included. The County Council would recommend that use of the cycle parking provision is monitored

with additional spaces provided if required for student use.

Site Access and Servicing Arrangements

- 8.53. The existing access from Mansfield Road would be utilised for pedestrian, cycle and servicing access to the proposed development. The site access road currently provides service access to the Tinsley Building and the Pharmacology Department.
- 8.54. A new service lay-by is also proposed alongside the southern stretch of the access road, near to the proposed temporary building. The swept path analysis submitted with the application demonstrates that a 10 metre rigid HGV, which would be the largest vehicle expected to require access to the site for servicing purposes, would be able to enter and turn within the site in order to reverse into the lay-by (and exit the site in a forwards gear). This manoeuvre would require the vehicle to reverse within the site for a distance of around 30m which ideally would be avoided however the Local Highways Authority has not objected to the application on these grounds.
- 8.55. Therefore, Officers consider the site access and service arrangements to be acceptable. A condition has been included to secure the submission of a Construction Traffic Management Plan (CTMP) as the submitted CTMP was missing the required detail.

v. Archaeology

- 8.56. At the time of writing this report Officers have insufficient information to confirm the impacts on archaeological assets. Officers are working with the applicant to secure this information and will consider the required details to assess whether the proposal would be acceptable in this regard.
- 8.57. In the absence of these details Members are requested to approve the principle of the development and delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to assess the required information. If this information is found to be acceptable Members are requested to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to approve the application. In the event that the details are unacceptable and no resolution can be found the application would need to be brought back to committee with a recommendation for refusal.

vi. Energy

- 8.58. Core Strategy Policy CS9 (Energy and Natural Resources) states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials. Qualifying developments, i.e. 10 or more dwellings or developments for over 2000m², should be energy efficient, deliver a proportion of renewable or low-carbon energy and incorporate recycled or reclaimed materials.

- 8.59. The proposed development would meet the definition of qualifying development and the applicant has submitted an Energy and Sustainability Statement in support of the application.
- 8.60. While the proposed building would constitute qualifying development under Policy CS9 it is important to note that the building is only proposed due to the closure of the Tinbergen Building. As such, the development will not be creating additional energy requirements but accommodating part of the existing requirement. Therefore, while Oxford City Council seeks to ensure that all new developments are energy efficient in themselves, the application of the policy in this instance should be proportionate to the type of development.
- 8.61. Notwithstanding this, the proposal does demonstrate a number of features which contribute towards energy efficiency and sustainability. The pre-fabricated modular construction of the building means that once the structure is no longer needed it can be re-used and repositioned elsewhere which increases the sustainability of the temporary building. The building would also demonstrate air tightness within the building and thermal insulation performance of the external fabric which would exceed current Building Regulations Part L2A standards.
- 8.62. Likewise, the design of the building would incorporate a number of elements to minimise the energy use of the building including:
- High efficiency lighting including light-emitting diode (LED) fittings with daylight dimming and occupancy or absence detection;
 - Mixed mode ventilation strategy will be employed;
 - Heat recovery on ventilation systems;
 - Air source heat pumps / variant refrigerant flow (VRF) systems to provide heating / cooling and to facilitate energy recovery / re-use;
 - Intelligent control systems to align plant/lighting operation to the building use;
 - Point of use local hot water heating to minimise standing water and distribution heat losses
- 8.63. Officers consider that due to the temporary nature of the proposed building it would be unreasonable to require renewable/ low carbon energy to be provided on this site.
- 8.64. Having regard to the temporary nature of the proposed building and the measures taken through the construction of the building that would contribute towards energy efficiency and sustainability Officers consider that the proposal would minimise the carbon emissions resulting from the development and does demonstrate sustainable design and construction methods and energy efficiency through design and materials. As such, Officers do not consider the proposal to conflict with the aims of Core Strategy Policy CS9.

vii. Other Matters

- 8.65. Officers have considered flooding, land contamination and biodiversity impacts

and impact on trees and have found the proposal to be acceptable subject to the conditions set out in section 10 of this report.

9. CONCLUSION

- 9.1. Officers consider there to be exceptional circumstances arising from the closure of the Tinbergen building which, to ensure the continued function of the Departments of Zoology and Biochemistry, warrant the erection of a temporary building. The temporary nature of the proposed building; the clear and demonstrable need for the facilities; the limited loss of existing sports facilities and the arrangements that have been secured to provide alternative arrangements on neighbouring sites have led Officers to conclude that the proposal would not conflict with the aims of the NPPF and would be compliant with Core Strategy Policies CS2 and C21 and Local Plan Policies CP25 and SR2.
- 9.2. The proposal would not be detrimental to the character of the surrounding Conservation Area and is considered to comply with Policies CP1, CP6, CP8 and HE7 of the Oxford Local Plan and Policy CS18 of the Core Strategy.
- 9.3. Due to the significant separation distance between the proposed building and the neighbouring properties the proposal is considered to be acceptable in terms of its impact on neighbouring amenity and noise.
- 9.4. The impact of the proposed building on archaeology has not been confirmed but Officers intend to work with the applicant to secure suitable details to ensure that there will be no harm arising from the development.
- 9.5. Highways, flooding, land contamination and biodiversity impacts and the impact on existing trees is found to be acceptable.
- 9.6. Therefore, it is recommended that the West Area Planning Committee resolve to grant planning permission for the development proposed subject to conditions set out in section 10 of this report.

10. CONDITIONS

1. Temporary Consent

This permission shall be for a limited period of 5 years only, from the date of this permission. After this date the building(s) and works carried out under this permission shall be removed. Within three months of the temporary building hereby permitted and other associated structures removal [or In the first planting season following removal], the playing field land shall be reinstated to a playing field of a quality at least equivalent to the quality of the playing field immediately before the temporary building and associated structures were erected. The work shall be carried out to the satisfaction of the Local Planning Authority unless prior to that date a renewal of the permission shall have been approved in writing by the Local Planning Authority.

Reason: The temporary nature of the building is such that it is considered

inappropriate on a permanent basis in accordance with policies CP1 and CP25 of the Adopted Oxford Local Plan 2001-2016; to ensure the site is restored to a condition fit for purpose; and to accord with the National Planning Policy Framework.

2. Development in Accordance with Approved Plans

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. Materials

The materials to be used in the new development shall be as shown on the approved plans and as detailed within the submitted Design and Access Statement. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4. Artificial Lighting (external)

The development shall not be occupied until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone – E3 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

5. Noise – Mechanical Plant / Ventilation & Air Conditioning

In respect of any proposed air conditioning, mechanical ventilation or associated plant, the applicant shall ensure that the existing noise level is not increased when measured one metre from the nearest noise sensitive premises. In order to achieve this the plant must be designed / selected or the noise attenuated so that it is no greater than 35 dB LA90,1h daytime and 33 dB L90,15min, night time.

Reason: To maintain the existing noise climate and prevent ambient noise creep in the interests of residential amenities in accordance with policies CP1, CP10, CP19 and CP21 Oxford Local Plan 2001-2016.

6. Landscape – Underground Services (Tree Roots)

Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1,CP11 and NE15.

7. Landscape – Tree Protection Plan (Tree Roots)

Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

8. Drainage

Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The plans, calculations and drainage details submitted shall demonstrate that;

- i. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event.
- ii. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff

- rate for a given storm event.
- iii. Excess surface water runoff must be stored on site and released to receiving system at greenfield rates.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

9. Sustainable Urban Drainage (SUDS)

Prior to the commencement of development, a Sustainable Drainage (SUDs) Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The Sustainable Drainage (SUDs) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The Sustainable Drainage Maintenance Plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity.

Reason: To ensure that the proposed development is maintained in perpetuity and to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

10. Drainage Infrastructure

Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained and maintained.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011- 2026.

11. Construction Traffic Management Plan (CTMP)

The details of the Construction Traffic Management Plan must be agreed by Local Planning Authority in consultation with the Highway Authority prior to commencement of works. This should identify:

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents and neighbours.

Reason: In the interests of highway safety and to mitigate the impact of

construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

12. Community Use

Use of the development shall not commence until details of the temporary relocation of each of the existing community groups that use the application site submitted to and approved in writing by the Local Planning Authority. These shall include, as a minimum, the location of the alternative provision, a summary of facilities available, hours of use and confirmation that the relocation will not impact on existing community sports teams.

The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

13. Cycle Parking

Prior to use or occupation of the new development a cycle parking strategy which includes covered and secure cycle parking, shall be provided within the curtilage of the site. The location and type of this provision should be submitted and agreed by the Local Planning Authority in writing.

Reason: To encourage the use of sustainable modes of transport.

Informatives

1. Vegetation clearance outside the bird nesting season

Removal of vegetation and demolition of buildings shall be undertaken outside of bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest.

2. Bats

The applicant and contractors should be aware that all bats and any structures or trees used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England.

Before the removal of limbs from the trees adjacent to the point of access, a visual check for bats must be carried out by a suitably experienced ecologist immediately prior to the work being carried out. Should a bat be encountered during

development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0845 1300228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained

3. Restoration Scheme

It is recommended that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association and the England & Wales Cricket Board (<http://www.ecb.co.uk/be-involved/club-support/club-facility-management/surface-types>)

4. Community Use Agreements

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications>

5. APPENDICES

Appendix 1 – Site Location Plan

Appendix 2 - etc.

1. HUMAN RIGHTS ACT 1998

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

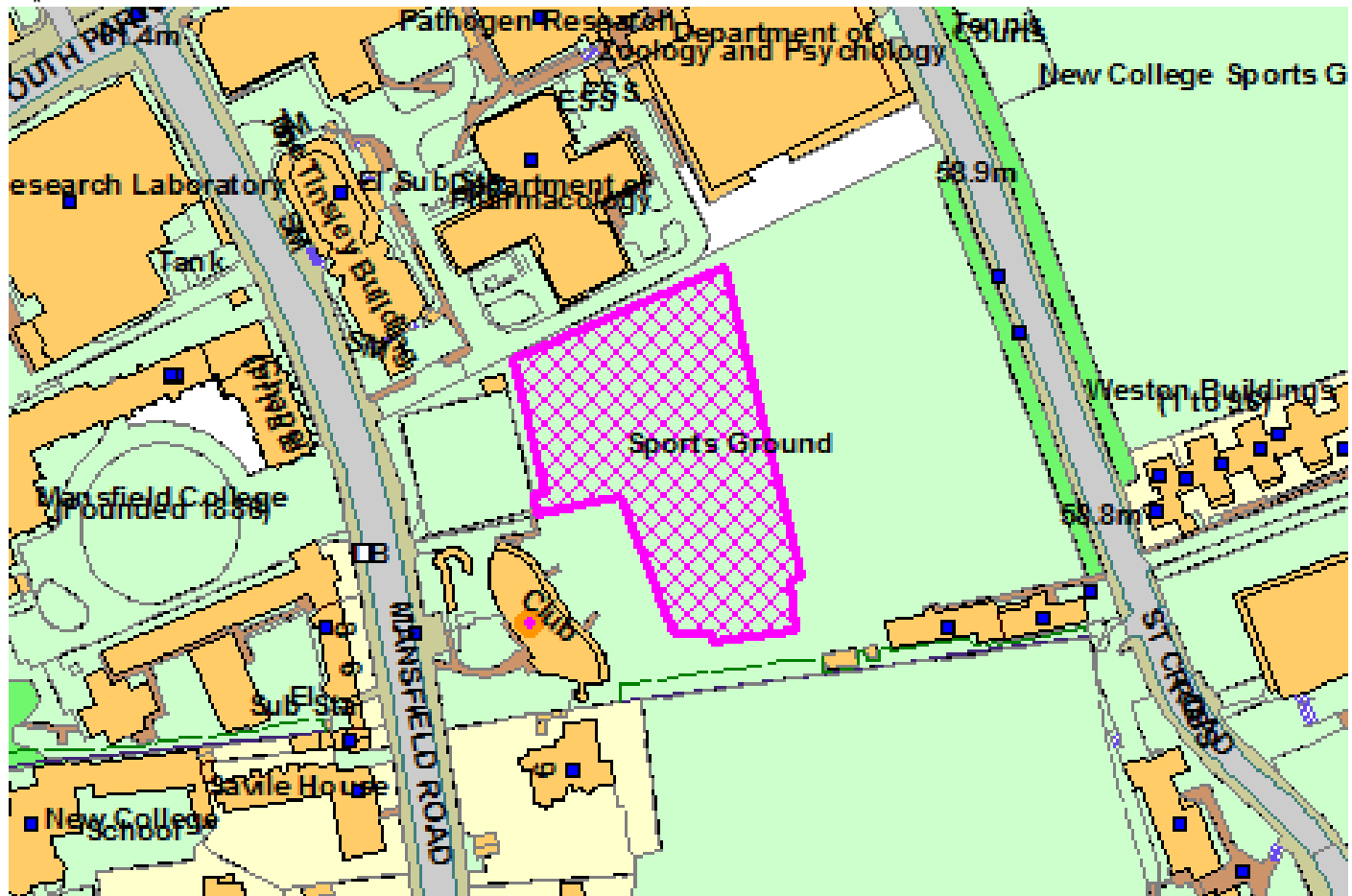
2. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

10.2. 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 refusal of planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community

Appendix 1

17/01259/FUL - Land To The Rear Of The University Club

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Ordnance Survey 100019348

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WEST AREA PLANNING COMMITTEE

11th July 2017

Application Number: 17/01187/FUL

Decision Due by: 15th August 2017

Extension of Time: Not Applicable

Proposal: Research modular building for the Department of Experimental Psychology as academic non-residential institution use (Class D1) for a temporary period of five years.

Site Address: Plot K, Radcliffe Observatory Quarter, Woodstock Road, Oxford, OX2 6GG

Ward: North Ward

Agent: Mr Michael Crofton-Briggs **Applicant:** The University of Oxford

Reason at Committee: Major Application

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

Grant planning permission for the reasons given in the report and subject to the required planning conditions set out in section 10 of this report and agree to delegate authority to the Head of Planning, Sustainable Development and Regulatory Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning, Sustainable Development and Regulatory Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers an application for the erection of a research modular building for the Department of Experimental Psychology as academic non-residential institution use (Class D1) for a temporary period of five years.

2.2. The key matters for assessment set out in this report include the following:

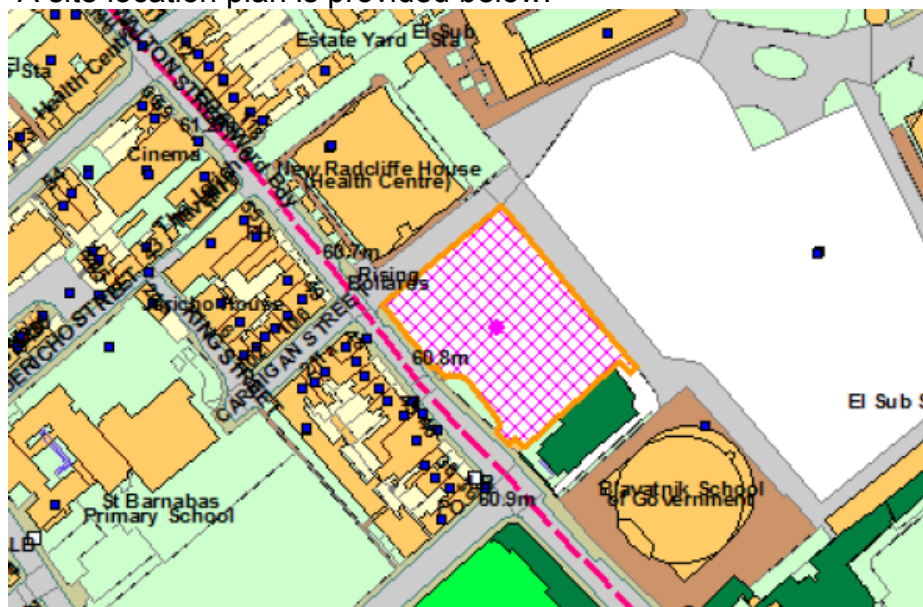
- Principle of development;
- Heritage, design and impact on the character of the surrounding area;
- Impact on neighbouring amenity;
- Highways and traffic impacts;
- Energy Impacts

- Other Matters - Ecology; Flood Risk; Trees; Air Quality and Archaeology.

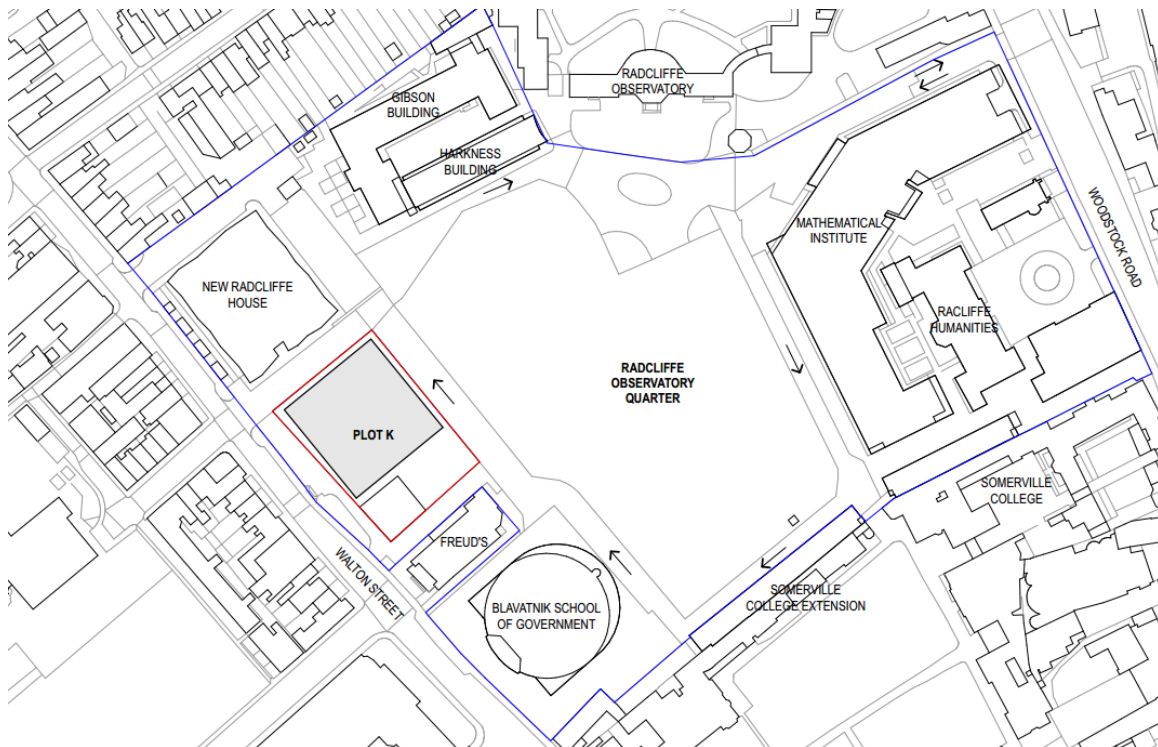
2.3. Officers consider there to be exceptional circumstances arising from the closure of the Tinbergen building which, to ensure the continued function of the Department of Experimental Psychology, warrants the erection of a temporary building.

3. SITE AND SURROUNDINGS

- 3.1. The application site (known as 'Plot K') is located on the former Radcliffe Infirmary Hospital site, between Woodstock Road and Walton Street. Plot K was the location of the former Maternity Hospital and is on the western side of the Radcliffe Observatory Quarter (ROQ) site to the south of New Radcliffe House.
- 3.2. The site is currently surrounded by a temporary hoarding due to its previous function as the works compound site while the Blavatnik School of Government (located to the south east of the site) was under construction.
- 3.3. The western boundary is formed of a high wall at the back of the pavement to Walton Street. The northern boundary comprises the access road into the ROQ site from Walton Street. To the east is a central vacant plot, allocated for further University development. To the south is St Paul's, a former church and Listed Building, now known as Freud's bar/ café.
- 3.4. The site lies to the south of Walton Manor Conservation Area boundary and to the west of the Jericho Conservation Area boundary. The site is within Flood Zone 1. The site is located within the Radcliffe Observatory Quarter Site Allocation.
- 3.5. A site location plan is provided below:



3.6. The block plan is shown below:



4. PROPOSAL

- 4.1. The application proposes the erection of a Research modular building for the Department of Experimental Psychology as academic non-residential institution use (Class D1) for a temporary period of five years.
- 4.2. The proposed building is a two storey modular building which would measure 2680m² in size (GEA), 36.3 metres by 37 metres. The building would be between 8.2 metres in height.
- 4.3. The proposal would be constructed from 66 modular units, based around a steel frame and is proposed to be clad in a composite insulated panel system with a plastic coated steel cladding with a mid-grey colour finish.
- 4.4. The proposed layout would be comprised of the following:

Ground Floor

- Main Reception and plant room;
- Developmental Science Centre testing booths;
- Cognitive Neuroscience Centre;
- Cognitive Neuropsychology Centre;
- Waste and recycling store.

First Floor

- Administrative offices;
- Open plan workstations;
- Open plan experiments testing space;

- Small and medium meeting rooms;
- Staff common area;
- Principle Investigator single offices.

5. RELEVANT PLANNING HISTORY

- 5.1. There is specific planning history for the application site however previously the Former Maternity Hospital was located on the application site.
- 5.2. The University purchased the Infirmary site from the NHS in 2003 and took possession in the early part of 2007. In November 2008 a Masterplan for the Infirmary site was brought before the Oxford City Council Area and Strategic Planning Committees for consideration. The Masterplan was not submitted as a planning application and so no specific planning application has been approved but it set out a context within which individual proposals could be drawn up with some flexibility in response to changing circumstances. The Masterplan did not propose a single or preferred layout, but sought instead to establish certain principles.
- 5.3. The Masterplan set out the following key principles:
- Optimising floor space requirements should be informed by detailed design considerations and assessment of impact;
 - The extent and location of any 5 storey development should be informed by an assessment of impact on views and context;
 - Taller buildings generally to front primary routes;
 - Development to Walton Street frontage to generally be no more than 3 storeys;
 - A hierarchy of streets and spaces to be created across the redevelopment site with eastwest routes at the head of the hierarchy;
 - The primary east-west routes to constitute “public spaces” at all times;
 - The principal entrances to buildings to front all publically accessible spaces;
 - The redevelopment site to be linked by a series of high quality formal and informal landscaped spaces; and
 - Provision for periodic review and revision of Masterplan.
- 5.4. The table below sets out other applications submitted by Oxford University as a result of the closure of the Tinbergen Building:

Application Reference	Description of Development	Decision
17/01144/FUL (Land To The Rear Of The University Club, 11 Mansfield Road)	Erection of a teaching laboratory modular building for the Departments of Zoology and Biochemistry (Use Class D1) for a temporary period of 5 years.	Decision Pending
17/01259/FUL (Land To The	Erection of a research and administrative modular building for the department of	Decision Pending

Rear Of The University Club, 11 Mansfield Road)	Zoology (Use Class D1) for a temporary period of 5 years.	
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6. RELEVANT PLANNING POLICY

6.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7 Paragraphs 56 - 68	CP.1, CP.6, CP8, CP.9, CP.10, CP13, CP25	CS18		
Conservation/ Heritage	12 Paragraphs 126 – 141, of particular relevance is paragraphs 128 and 129	HE.3			
Natural Environment	11 Paragraphs 109 – 125,	CP.11, NE.16, NE.21, NE.22	CS9, CS11, CS12		
Social and community	8 Paragraphs 69 – 78, of particular relevance is paragraph 74.		CS19, CS29	Site Allocation SP47	
Transport	4 Paragraphs 29 - 41	TR.1, TR.2, TR.3, TR.4,TR.6, TR.12, TR.13	CS13		Parking Standards SPD
Environmental	10 Paragraphs 93 - 108	CP.20, CP.21, CP.22, CP.23	CS10		Energy Statement TAN

7. CONSULTATION RESPONSES

7.1. Site notices were displayed around the application site on 18th May 2017 and an advertisement was published in the Oxford Times newspaper on 25th May 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

- 7.2. No objection subject to conditions. Suggested conditions to secure a Construction Transport Management Plan (CTMP), drainage details and cycle parking.

Heritage Officer

- 7.3. No objections but acknowledged that the proposal would result in harm to the settings and significance of a number of heritage assets that lie adjacent to the site. The Officer considered that the public benefits of the proposal may be weighed against the harm.

Tree Officer

- 7.4. No objections subject to conditions to ensure that trees are adequately protected during the construction phases and to ensure that any new underground utility services and drainage avoid damage to tree roots.

Biodiversity Officer

- 7.5. No objections subject to conditions to secure the submission of a Biodiversity Method Statement; to secure protective measures during construction and biodiversity enhancements. Also requested an informative relating to vegetation clearance and nesting birds.

Environmental Health (Noise) Officer

- 7.6. No objections subject to a condition to ensure appropriate noise levels of mechanical plant/ ventilation/ air conditioning.

Flood Mitigation Officer

- 7.7. No objections subject to conditions relating to Sustainable Urban Drainage (SuDs) and the construction and on-going maintenance of the drainage infrastructure.

Land Quality Officer (Contamination).

- 7.8. No objections subject to condition requiring a watching brief for any unexpected contamination.

Other

- 7.9. The following consultees raised no objection:
- Oxford Preservation Trust;
 - Archaeology Officer;
 - Air Quality Officer.

7.10. The following consultees provided a response of no comment:

- Natural England;
- Historic England;
- Environment Agency.

7.11. The following consultees did not provide a response:

- Oxford Civic Society

Public representations

7.12. No public comments have been received at the time of writing this report.

Officer Response

7.13. A more detailed balancing assessment of the heritage impacts is set out in section ii of this report.

8. PLANNING MATERIAL CONSIDERATIONS

8.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Heritage, design and impact on the character of the surrounding area;
- iii. Impact on neighbouring amenity;
- iv. Highways and traffic impacts;
- v. Energy
- vi. Other Matters - Ecology; Flood Risk; Trees; Air Quality; Archaeology.

i. Principle of Development

8.2. In assessing the acceptability of the principle of development it is important to first set out the relevant background which has led to the current submission. The proposed temporary building would be used to accommodate staff and students from the Department of Experimental Psychology. Until Monday 13th February 2017 this department was located within the Tinbergen building (located to the north of the application site) however during renovation works it was discovered that the levels of asbestos within the building were more extensive than previously thought and it became apparent that works could no longer be effectively managed while the building was still occupied.

8.3. The total net usable area of the building (as of December 2016) was 14,377m². For the academic year 2016/2017 there were 201 staff, 159 post graduates and, 328 undergraduates within the Department of Zoology and 16 staff and 400 undergraduates within the Biochemistry building using the Tinbergen building. The closure of the Tinbergen building has resulted in the loss of facilities for these students and staff and the application for a temporary building forms part of the strategy to address this problem. The applicant has identified the following types of spaces are required as part of the re-provision:

- Standard office space/meeting rooms;

- Laboratory space and research write up facilities;
- Specialist laboratory space;
- Space with specialist equipment for key research projects, including Cat 2 and Cat 3 facilities¹ ;
- Teaching space with and without laboratory provision. The teaching labs provide space for approximately 240 students across the departments at any one time, of a total of approximately 350-500 students across the two undergraduate courses.
- Subject testing rooms and ancillary support space.

- 8.4. Core Strategy Policy CS29 (The Universities) states that planning permission will be granted for new academic floorspace on existing University of Oxford sites where proposals respect the character and setting of Oxford's historic core. The supporting text for the policy emphasises the significant contribution that Oxford University makes to the growth and competitiveness of Oxford's economy and the benefits arising in terms of skills, employment and wealth creation. The University of Oxford is a world-renowned centre of academic excellence as well as one of the largest employers in Oxford. Officers are mindful that the closure of the Tinbergen Building without any replacement provision would have a serious and detrimental impact on both the staff and students at Oxford University but also would have resonating impacts for the wider economy of Oxford. Therefore, the erection of a building to mitigate against the loss of facilities is supported on the basis that all other determining issues are found to be acceptable.
- 8.5. Local Plan Policy CP25 (Temporary Buildings) states that permission will only be granted for temporary buildings when the short term need has been clearly demonstrated. Officers consider that the submitted details demonstrate a clear need for the proposed building to ensure that the displaced Departments can continue to operate in both the short and long term.
- 8.6. Policy CP25 also states that temporary buildings need to ensure that they do not adversely affect visual attractiveness, trees or parking provision; and adequately address, where appropriate landscaping; noise insulation; access for people with disabilities; relationship to existing buildings; prejudice future developments; access points; and provide a suitable external appearance.
- 8.7. The qualifying criteria set out in Policy CP25 are considered further in this report. Officers consider the principle of a temporary building on the site to be acceptable due to the exceptional circumstances arising from the closure of the Tinbergen building.
- 8.8. The application site is located within the Radcliffe Observatory Quarter Site Allocation SP47 as set out in the Sites and Housing Plan. Site Allocation SP47 states that planning permission will be granted for academic institutional and student accommodation at the Radcliffe Infirmary Quarter site and that proposals must respect the character of the conservation area and preserve and enhance the nearby and on site listed buildings and their setting. Development should minimise car parking and promote sustainable transport and should ensure there is no adverse impact on the Port Meadow SSSI.

- 8.9. The application proposes a temporary building with an academic non-residential institution use (Use Class D1). As such the proposal is found to comply with Policy SP47 of the Sites and Housing Plan. The qualifying criteria set out in Policy SP47 are considered further in this report.
- 8.10. Therefore, considering the exceptional circumstances arising from the closure of the Tinbergen building; the temporary nature of the proposed building, the clear and demonstrable need for the temporary building and the academic use proposed Officers consider that the proposal would comply with the aims of the NPPF and would be compliant with Local Plan Policy CP25 and Sites and Housing Plan Policy SP47.

ii. **Heritage, Design and Impact on Character of Surrounding Area**

- 8.11. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy require that development proposals incorporate high standards of design and respect local character. The application site is not located within a Conservation Area but lies to the south of Walton Manor Conservation Area boundary and to the west of the Jericho Conservation Area boundary. Immediately adjacent to the south of the site is St Paul's, a former church and Listed Building, now known as Freud's Café and as such Local Plan Policy HE3 (Listed Buildings and their Settings) is applicable.
- 8.12. Policy HE3 states planning permission will only be granted for development which is appropriate in terms of its scale and location and which uses materials and colours that respect the character of the surroundings, and has due regard to the setting of any listed building.

Heritage

- 8.13. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that:

"In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

- 8.14. For development within Conservation Areas, the NPPF requires special attention to be paid towards the preservation or enhancement of the Conservation Area's architectural or historic significance. This does not mean that no harm must ever be done to a Conservation Area but instead that consideration must be given to the balance of public benefits against harm. While the site is outside of a conservation area it is in close enough proximity to impact on the setting of the conservation areas which surround it.

8.15. Section 12 paragraph 134 of the NPPF also states that:

“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

8.16. The site for the temporary buildings is surrounded by and falls within the setting of a number of heritage assets. Radcliffe Observatory, a Grade I listed building is located immediately to the north east of the site on the opposite side of the ROQ site. The setting of the Observatory has been substantially altered since its original construction and more so in recent years with the clearance of the former infirmary site its acquisition by the University and the construction of a number of individual buildings on both the Woodstock Road and Walton Street sides of the site.

8.17. It is possible to gain views of the Observatory when standing on the west side of Walton Street looking through the gap in the 3.2 metre high, coursed rubble stone wall which forms the western boundary of Plot K and the medical centre building. These views will include the double height temporary buildings which will appear in juxtaposition to the Observatory.

8.18. As a result of the substantive changes that have already occurred to the setting of the listed building and consequently to its significance the harm that will arise from the construction of the proposed buildings would be less than substantial. This harm would not be mitigated by the utilitarian design of the proposed building.

8.19. Also in the immediate vicinity is the former St Paul’s Church, which was saved from demolition through its current use as Freud’s bar and café and listed at Grade II together with its piers and railings that form the boundary to Walton Street and which are independently listed Grade II. This heritage asset lies immediately to the south of the application site and important views of this building from both south and north along Walton Street will include the intervention of the upper part of the temporary building whose utilitarian appearance will contrast dramatically with the understated, classical elegance of the former church and its distinctive, ionic portico.

8.20. As a result of the substantive change that has occurred on the former Infirmary site the harm that would occur to the setting of St Paul’s would be less than substantial. There would be some mitigation of the harm that would occur through the siting of the temporary building back from the Walton Street frontage and the retention of the existing trees that have grown behind the stone wall whose canopies will partially screen the upper part of the building. The effectiveness of this tree screen will vary according to the season.

8.21. The application site is located to the west of Jericho Conservation Area which was designated in February 2011. At present, partially as a consequence of rising ground level across the ROQ site from west to east there are views across the site toward the 19th Century buildings that sit within the conservation area on

the west side of Walton Street.

- 8.22. These views offer an interesting panorama of this section of Walton Street, a glimpse of the former working class suburb that is not possible to gain otherwise and are at present only broken by the stone boundary wall and the assorted collection of trees that are aligned behind it. However the views which provide an important connection to the conservation area will be interrupted by the relatively large, 37 metre profile of the two-storey Portakabin building which will extend across most of Plot K. This interruption will cause some harm to the setting of the conservation area and consequently to its significance a harm that will not be mitigated through design of the temporary buildings and ancillary structures that surround them.
- 8.23. Therefore Officers conclude that the erection of the temporary building would result in harm to the setting, and in consequence the significance, of a number of heritage assets. The harm would be less than substantial but cumulative, however the proposal would produce public benefits in the form of the retention of 201 jobs and the continued contribution to Oxford's economy and knowledge base.
- 8.24. The resultant harm would not be mitigated by the functional design of the buildings and ancillary structures, as has been the case elsewhere on the ROQ site, but it would be partially mitigated through siting the buildings away from Walton Street and through a commitment to decluttering and improving the setting of the boundary between Plot K and Freud's bar. For the period of time that the temporary buildings and structures remain on this site the harm will endure however this period would be limited and the harm would cease following the planned removal of the structure. To help to mitigate some of the harm to the setting of the heritage assets the applicant has agreed to clear the existing storage area which is being used adjacent to Freud's bar/ café. While the impact of this will be limited it will nevertheless improve the immediate setting of the listed building.

Design

- 8.25. The siting of the building would be within Plot K on the ROQ site which is currently unused space surrounded by hoarding with a 3.2 metre high stone wall running along the boundary to Walton Street to the south west.
- 8.26. Vehicle access is proposed via Woodstock Road, by way of the existing access road to the north of the site. This access is controlled by barriers and intercom and used largely for service/delivery/access-only purposes to the inner core of the ROQ. Disabled car parking provision would be located at the south east of the site and would be accessed from Woodstock Road. Cycle parking is proposed to the north west side of the building, adjacent to the main entrance. Pedestrian access is proposed from Warton Street or from within the surrounding ROQ site.
- 8.27. The design of the building is based on a modular construction where modules are pre-fabricated off site and then assembled and finished on site. Rooms that

require natural light are proposed around the perimeter of the building, with spaces not requiring natural light proposed in the deep plan part of the building.

- 8.28. The proposed building would be two storey with a total height of 8.2 metres which would be significantly lower than the surrounding buildings, including the adjacent 3 storey New Radcliffe House building. Officers consider that the building height would not be unduly harmful and are mindful that the building will be partially screened by the existing 3.2 metre high boundary wall along Walton Street. There is also existing vegetation located along the boundary wall which would further increase the levels of screening and partially mitigate the perceived size and scale of the proposed building. While the proposed building would be more prominent in private views from the upper floors of the buildings on the western side of Walton Street directly opposite the site these views will be limited to users of these buildings and therefore are not considered to fully represent the potential visual impact of the building on the overall streetscene. Notwithstanding the heritage assessment above, Officers conclude that the proposal would not be unduly harmful to the immediate visual amenity streetscene.
- 8.29. The proposed building would be utilitarian in appearance with a grey cladding finish (Merlin Grey). Fenestration is proposed to comprise top hung awning windows with frames in the matching grey finish and glazed doors also in the same matching colour. Once again, while the appearance of the building would be functional it is not found to be unduly incongruous or to create significant harm to the surrounding visual amenity.
- 8.30. The associated plant required for the building would be located externally to the south of Plot K. It is proposed to be enclosed by a 2 metre high chain link fence with a 3 metre high plant boundary wall proposed to the south west and south east boundaries. The proposed wall would contribute to the acoustic mitigation of plant noise levels. Officers are of the opinion that views of the plant enclosure would be predominantly screened by the existing boundary wall along Walton Street so views when approaching from the south east and south west would be limited. Viewed from the north west would be limited as a result of the positioning of the proposed building. Views of the plant from the east by the listed building and the north east would be visible however, considering the limited period of time for which the building would be visible, Officers do not consider this to create significant, substantiated harm. Therefore, this element of the proposal is considered to be acceptable.
- 8.31. External LED lighting is proposed around the perimeter of the building. This comprises pole lighting to match the existing on the wider site and wall mounted wall washer lighting. A condition has been included to restrict the brightness of the proposed lighting in the interests of visual amenity.
- 8.32. In terms of landscaping the application proposes to retain all existing trees and planting, provide a 2 metre high chainlink fence at the rear of the existing stone wall to protect existing trees and planting and match all external landscape finishes to the existing finishes around the site. Considering the temporary nature of the proposal the proposed landscaping is found to be acceptable.

8.33. Officers conclude that the design of the proposed building is acceptable considering the temporary nature of the structure. It is considered that there will not be significant harm to the character of the immediate surrounding area as a result of the proposed building. Therefore, the proposal is found to comply with Policies CP1, CP6 and CP8 of the Oxford Local Plan and Policy CS18 of the Core Strategy.

iii. Impact on Neighbouring Amenity

8.34. The proposed building would be surrounded to the north west by New Radcliffe House and west by University buildings. To the north east is a large area of undeveloped land. To the south is Freud's bar and the Blavatnik School of government. To the east across Walton Street are residential properties.

8.35. Due to the siting of the proposed building and the significant separation distances between the building and the nearest neighbouring buildings Officers are satisfied that the proposal will not result in harmful overlooking, overbearing or loss of light. The building would be set back within the plot to increase the amount of separation distance between it and the listed building to the south and while there would be south facing windows within the proposed building Officers consider that the commercial use of the neighbouring building to the south would ensure that there would not be an significant harm to neighbouring occupiers. The development is considered to comply with the requirements of Policy HP14 of the Sites and Housing Plan (2013).

Noise

8.36. The applicant has submitted an acoustic report in support of the application to establish the prevailing noise climate at a location considered representative of the closest noise sensitive receptors. The closest noise sensitive receptors have been identified as the Jericho Health Centre which is approximately 11 metres to the north of the development boundary and the residential properties on Walton Street.

8.37. Officers consider that due to the nature of the proposed use of the building and the significant separation distance from residential properties there will not be any harmful noise impacts arising from the proposed development. A condition has been included to ensure that there are appropriate controls in place in relation to mechanical plant noise.

iv. Highways and Traffic Impacts

Parking

8.38. The proposed building is located in relatively close proximity to the existing Tinbergen Building and would not result in an increase in staff or student numbers. As such the relocation of facilities to the proposed temporary building would have a similar transport impact to that of the existing Tinbergen Building, albeit with different access arrangements on a local level.

- 8.39. The submitted Transport Statement states that the proposed building would be used by up to 107 staff members and up to 87 subjects for the psychology testing facilities. However, it is predicted that the buildings would be used up to 75% of the capacity at any given time. The development is proposed to be car free with the exception of four disabled parking spaces and access by service vehicles.
- 8.40. Officers and the Local Highway Authority consider that given that the proposal is to accommodate uses that are currently displaced by the closure of the Tinbergen Building, the transport impact of the proposal is limited to a localised area immediately surrounding the site. Likewise, given that the development will only provide four disabled parking spaces, cycle parking well over required standards and is located with good access to public transport, the development is not expected to have a significant traffic impact.

Cycle Parking

- 8.41. The adopted cycle parking standards for higher education uses require the provision of 1 space per 5 staff as well as 1 space per 2 students. In this instance, the standard for students has been used to assess the cycle parking provision for the test subjects. To accord with these standards a total of 59 cycle parking spaces (42 spaces for staff and 17 spaces for test subjects) would be required. The proposal intends to provide 70 cycle parking spaces which exceeds the above standards and therefore is welcomed by Officers.
- 8.42. A condition to secure details of the cycle parking has been included.

Site Access and Servicing Arrangements

- 8.43. The site would be accessed by vehicles via the existing access from Woodstock Road which is controlled by barriers. Pedestrian access is provided from Walton Street and Woodstock Road. The site benefits from accessibility to public transport with high frequency services available on the Woodstock Road. Servicing vehicles will access the site via the existing access to Woodstock Road.
- 8.44. Therefore, Officers consider the site access and service arrangements to be acceptable. A condition has been included to secure the submission of a Construction Traffic Management Plan (CTMP) as the submitted CTMP was missing the required detail.

v. Energy

- 8.45. Core Strategy Policy CS9 (Energy and Natural Resources) states that all developments should seek to minimise their carbon emissions and should demonstrate sustainable design and construction methods and energy efficiency through design, layout, orientation, landscaping and materials. Qualifying developments, i.e. 10 or more dwellings or developments for over 2000m², should be energy efficient, deliver a proportion of renewable or low-carbon

energy and incorporate recycled or reclaimed materials.

- 8.46. The proposed development would meet the definition of qualifying development and the applicant has submitted an Energy and Sustainability Statement in support of the application.
- 8.47. While the proposed building would constitute qualifying development under Policy CS9 it is important to note that the building is only proposed due to the closure of the Tinbergen Building. As such, the development will not be creating additional energy requirements but accommodating part of the existing requirement. Therefore, while Oxford City Council seeks to ensure that all new developments are energy efficient in themselves, the application of the policy in this instance should be proportionate to the type of development.
- 8.48. Notwithstanding this, the proposal does demonstrate a number of features which contribute towards energy efficiency and sustainability. The pre-fabricated modular construction of the building means that once the structure is no longer needed it can be re-used and repositioned elsewhere which increases the sustainability of the temporary building. The building would also demonstrate air tightness within the building and thermal insulation performance of the external fabric which would exceed current Building Regulations Part L2A standards.
- 8.49. Likewise, the design of the building would incorporate a number of elements to minimise the energy use of the building including:
- High efficiency lighting including light-emitting diode (LED) fittings with daylight dimming and occupancy or absence detection;
 - Mixed mode ventilation strategy will be employed;
 - Heat recovery on ventilation systems;
 - Air source heat pumps / variant refrigerant flow (VRF) systems to provide heating / cooling and to facilitate energy recovery / re-use;
 - Intelligent control systems to align plant/lighting operation to the building use;
 - Point of use local hot water heating to minimise standing water and distribution heat losses
- 8.50. Officers consider that due to the temporary nature of the proposed building it would be unreasonable to require renewable/ low carbon energy to be provided on this site.
- 8.51. Having regard to the temporary nature of the proposed building and the measures taken through the construction of the building that would contribute towards energy efficiency and sustainability Officers consider that the proposal would minimise the carbon emissions resulting from the development and does demonstrate sustainable design and construction methods and energy efficiency through design and materials. As such, Officers do not consider the proposal to conflict with the aims of Core Strategy Policy CS9.

vi. Other Matters

- 8.52. Officers have considered flooding, land contamination, air quality, archaeology, energy and biodiversity impacts and impact on trees and have found the proposal to be acceptable subject to the conditions set out in section 10 of this report.

9. CONCLUSION

- 9.1. Officers consider there to be exceptional circumstances arising from the closure of the Tinbergen building and the temporary nature of the proposed building, the clear and demonstrable need for the temporary building and the academic use proposed, lead Officers to conclude that the proposal would comply with the aims of the NPPF and would be compliant with Local Plan Policy CP25 and Sites and Housing Plan Policy SP47.
- 9.2. The proposed temporary building would result in harm to the setting, and in consequence the significance, of a number of heritage assets. The harm would be less than substantial but cumulative, however the proposal would produce public benefits in the form of the retention of 201 jobs and the continued contribution to Oxford's economy and knowledge base. The harm would also cease following the planned removal of the structure after the temporary period of consent therefore the proposal is found not to conflict with Policies CP1, CP6, CP8 and HE3 of the Oxford Local Plan and Policy CS18 of the Core Strategy.
- 9.3. Due to the separation distance between the proposed building and the neighbouring properties and the acoustic mitigation measures proposed, the development is considered to be acceptable in terms of its impact on neighbouring amenity and noise.
- 9.4. Highways, archaeology, flooding, land contamination and biodiversity impacts and the impact on existing trees are found to be acceptable.
- 9.5. Therefore, it is recommended that the West Area Planning Committee resolve to grant planning permission for the development proposed subject to conditions set out in section 10 of this report.

10. CONDITIONS

1. Temporary Consent

This permission shall be for a limited period of 5 years only, from the date of this permission. After this date the building(s) and works carried out under this permission shall be removed and the land reinstated to its former condition to the satisfaction of the Local Planning Authority unless prior to that date a renewal of the permission shall have been approved in writing by the Local Planning Authority.

Reason: The temporary nature of the building(s) is such that it is considered inappropriate on a permanent basis in accordance with policies CP1 and CP25 of the Adopted Oxford Local Plan 2001-2016

2. Development in Accordance with Approved Plans

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

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016.

3. Materials

The materials to be used in the new development shall be as shown on the approved plans and as detailed within the submitted Design and Access Statement. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

4. Artificial Lighting (external)

The development shall not be occupied until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone – E3 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

5. Noise – Mechanical Plant / Ventilation & Air Conditioning

In respect of any proposed air conditioning, mechanical ventilation or associated plant, the applicant shall ensure that the existing noise level is not increased when measured one metre from the nearest noise sensitive premises. In order to achieve this the plant must be designed / selected or the noise attenuated so that it is 5 dBLAeq.t below the existing background levels of 46 dB LA90,1 h daytime and 35 dB L90,5min night time.

Reason: To maintain the existing noise climate and prevent ambient noise creep in the interests of residential amenities in accordance with policies CP1, CP10, CP19 and CP21 Oxford Local Plan 2001-2016.

6. Landscape – Underground Services (Tree Roots)

Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the

Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction- Recommendations'. Works shall only be carried in accordance with the approved details.

Reason: To avoid damage to the roots of retained trees; in support of Adopted Local Plan Policies CP1,CP11 and NE15.

7. Landscape – Tree Protection Plan (Tree Roots)

Detailed measures for the protection of trees to be retained during the development shall be submitted to, and approved in writing by, the Local Planning Authority (LPA) before any works on site begin. Such measures shall include scale plans indicating the positions of barrier fencing and/or ground protection materials to protect Root Protection Areas (RPAs) of retained trees and/or create Construction Exclusion Zones (CEZ) around retained trees. Unless otherwise agreed in writing by the LPA the approved measures shall be in accordance with relevant sections of BS 5837:2012 Trees in Relation to Design, Demolition and Construction- Recommendations. The approved measures shall be in place before the start of any work on site and shall be retained for the duration of construction unless otherwise agreed in writing by the LPA. Prior to the commencement of any works on site the LPA shall be informed in writing when the approved measures are in place in order to allow Officers to make an inspection. No works or other activities including storage of materials shall take place within CEZs unless otherwise agreed in writing by the LPA.

Reason: To protect retained trees during construction. In accordance with policies CP1, CP11 and NE16 of the Adopted Local Plan 2001-2016.

8. Biodiversity Method Statement

No development shall take place (including any demolition, ground works, site clearance) until a method statement for protection of trees, shrubs, grassland and fox earth on the southwest boundary of the site (during and after development) has been submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

9. Protective Measures during Construction

No development, demolition, earth moving shall take place or material or machinery brought onto the site until protective fencing and warning signs have been erected on site in accordance with the approved Biodiversity Method Statement. All protective fencing and warning signs will be maintained during the construction period in accordance with the approved details.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

10. Biodiversity Enhancement

Prior to the commencement of the development, details of biodiversity enhancement measures including at least: • 4 x bird nesting boxes, (to be installed on retained trees) • 2 x bat roosting boxes (to be installed on retained trees) • nectar providing plants, and • 1 pollinator house shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the approved dwellings and retained as such thereafter.

Reason: In the interests of improving the biodiversity of the City in accordance with NPPF and policy CS12 of the Oxford Core Strategy 2026.

11. Drainage

Prior to the commencement of development, plans, calculations and drainage details to show how surface water will be dealt with on-site through the use of sustainable drainage methods (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. The plans, calculations and drainage details will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The plans, calculations and drainage details submitted shall demonstrate that;

- i. The drainage system is to be designed to control surface water runoff for all rainfall up to a 1 in 100 year storm event.
- ii. The rate at which surface water is discharged from the site may vary with the severity of the storm event but must not exceed the greenfield runoff rate for a given storm event.
- iii. Excess surface water runoff must be stored on site and released to receiving system at greenfield rates.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011-2026.

12. Sustainable Urban Drainage (SUDS)

Prior to the commencement of development, a Sustainable Drainage (SUDs) Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The Sustainable Drainage (SUDs) Maintenance Plan will be required to be completed by a suitably qualified and experienced person in the field of hydrology and hydraulics. The Sustainable Drainage Maintenance Plan will be required to provide details of the frequency and types of maintenance for each individual sustainable drainage structure proposed and ensure the sustainable drainage system will continue to function in perpetuity.

Reason: To ensure that the proposed development is maintained in perpetuity and

to avoid increasing surface water run-off and thereby attenuating flood risk in accordance with Policy CS11 of the Oxford Core Strategy 2011-2026.

13. Drainage Infrastructure

Prior to the occupation of the development the drainage infrastructure shall be constructed in accordance with the approved details and thereafter retained and maintained.

Reason: To ensure compliance with Policy CS11 of the Oxford Core Strategy 2011- 2026.

14. Construction Traffic Management Plan (CTMP)

The details of the Construction Traffic Management Plan must be agreed by Local Planning Authority in consultation with the Highway Authority prior to commencement of works. This should identify:

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents and neighbours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

15. Cycle Parking

Prior to use or occupation of the new development a cycle parking strategy which includes covered and secure cycle parking, shall be provided within the curtilage of the site. The location and type of this provision should be submitted and agreed by the Local Planning Authority in writing.

Reason: To encourage the use of sustainable modes of transport.

16. Unexpected Contamination

A watching brief should be undertaken throughout the course of the development to identify any unexpected contamination. Any unexpected contamination that is found during the course of construction of the approved development shall be reported immediately to the local planning authority. Development on that part of

the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy CP22 of the Oxford Local Plan 2001-2016.

Informatives

1. Vegetation clearance outside the bird nesting season

Removal of vegetation and demolition of buildings shall be undertaken outside of bird nesting season. This is weather dependent but generally extends between March and August inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation or buildings shall not be removed until the fledglings have left the nest.

2. Bats

The applicant and contractors should be aware that all bats and any structures or trees used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England.

Before the removal of limbs from the trees adjacent to the point of access, a visual check for bats must be carried out by a suitably experienced ecologist immediately prior to the work being carried out. Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0845 1300228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained

3. APPENDICES

Appendix 1 – Site Location Plan

1. HUMAN RIGHTS ACT 1998

- 10.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and

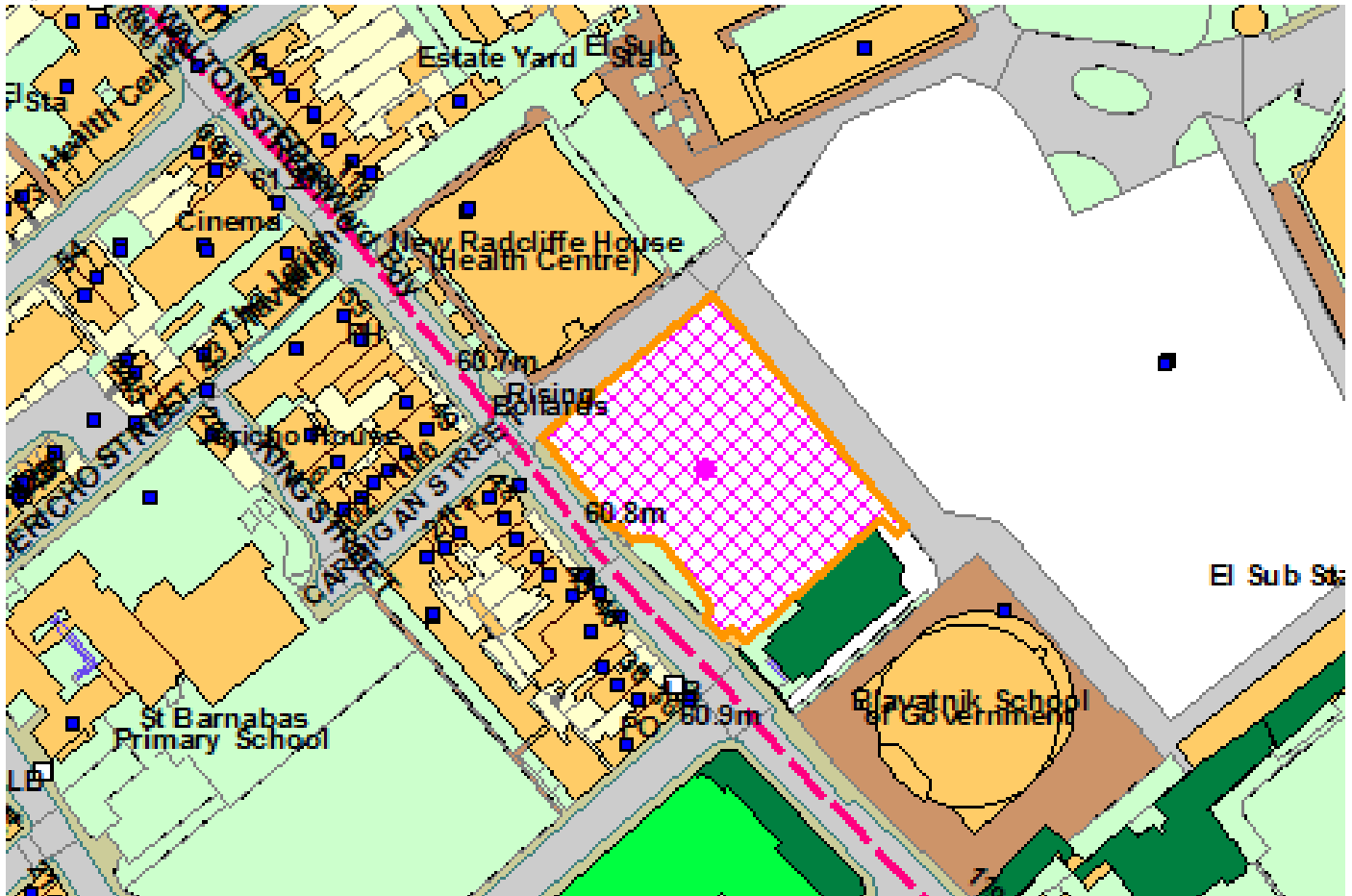
freedom of others or the control of his/her property in this way is in accordance with the general interest.

2. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

- 10.2. 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 refusal of planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community

Appendix 1

17/01187/FUL - Plot K, Radcliffe Observatory Quarter



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Ordnance Survey 100019348

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WEST AREA PLANNING COMMITTEE

11th July 2017

Application Number: 17/01021/FUL

Decision Due by: 21st June 2017

Extension of Time: 18th July 2017

Proposal: Demolition of existing dwelling and garage. Erection of three storey building comprising 2 x 3-bed, 2 x 2-bed and 2 x 1-bed flats. Provision of car parking and landscaping.

Site Address: 53 Sunderland Avenue Oxford OX2 8DT

Ward: Wolvercote Ward

Agent: Mr Alex Cresswell

Applicant: JPPC Chartered Town Planners

Reason at Committee: The proposed number of new residential units is over 5

1. RECOMMENDATION

1.1. West Area Planning Committee is recommended to:

Refuse planning permission for the reason set out below

- 1 The application seeks the development of more than three dwellings; as a result a financial contribution is required towards the provision of affordable housing as set out in Policy HP4 of the Sites and Housing Plan (2013). The applicant has indicated that they are not willing to provide a financial contribution. The development also fails to provide any on-site provision of affordable housing and no evidence has been provided to indicate that on-site provision or a financial contribution towards affordable housing would make the scheme unviable. As a result, the development is contrary to Policy HP4 of the Sites and Housing Plan (2013) and Policy CS24 of the Core Strategy (2011).

2. EXECUTIVE SUMMARY

2.1. This report considers the demolition of a detached dwellinghouse and its replacement with a block of 6 new flats.

2.2. The key matters for assessment set out in this report include the following:

- Principle of development;
- Design;
- Impact of Neighbouring Amenity;
- Transport;

- Sustainability, Energy and Biodiversity;
- Flooding and Drainage.

2.3. The development is considered acceptable in terms of design, amenity provisions, transport and technical details, but fails to meet the Sites and Housing Plan Policy HP4 to contribute to affordable housing, and should therefore be refused.

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located on the southern side of Sunderland Avenue, adjacent the junction with the Wolvercote Roundabout and Woodstock Road. Sunderland Avenue has a service off the main ring road, which is predominately residential.

5.2. A site location plan is set out below:



6. PROPOSAL

- 6.1. The application proposes to demolish one detached dwelling with garage and to erect one three storey building consisting of 6 flats (2x1bed, 2x2bed and 2x3bed units) with associated car parking and landscaping.

7. RELEVANT PLANNING HISTORY

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

Application Reference	Description of Development	Decision
52/02509/A_H	House and garage.	PERMITTED 9th September 1952.
90/00711/NF	Demolition of existing garage and store. Two storey side extension including integral garage. Single storey front extension.	PERMITTED 10th October 1990.

8. RELEVANT PLANNING POLICY

- 8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework (NPPF)	Local Plan	Core Strategy	Sites and Housing Plan	Other Planning Documents
Design	7	CP.1, CP.8, CP.9,	CS18	HP9	
Conservation/Heritage					
Housing	6	CP.6, CP.10	CS23,	HP4, HP8, HP10, HP12, HP13, HP14	Balance of Dwellings SPD, Affordable Housing and Planning Obligations, Space Standards TAN, Residential Basement Development
Commercial					

Natural Environment	9, 11, 13	CP.11, CP.18, NE.12, NE.14, NE.15, NE.20, NE.21,	CS2, CS9, CS11, CS12	HP11	Natural Resource Impact Analysis SPD
Social and community	8				
Transport	4	TR.1, TR.2, TR.6, TR.12, TR.13, TR.14	CS13	HP15, HP16	Parking Standards SPD
Environmental	10	CP.20, CP.21, CP.22, CP.23	CS11		Energy Statement TAN
Misc	5, 17			MP1	

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 11th May 2017.

Statutory and Non-Statutory Consultees

Oxfordshire County Council (Highways)

9.2. No objection subject to conditions. Eligibility from parking permits should be removed, visibility splays should be provided prior to occupation. Alterations to public highways will be at the applicant's expense. And the amendments to TRO must be paid.

Public representations

9.3. No comments have been received.

Officer Response

9.4. Highways comments can be included as conditions.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design;
- iii. Neighbouring amenity etc.

- iv. Transport
- v. Sustainability, Energy and Biodiversity
- vi. Flooding and Drainage
- vii. other

i. Principle of Development

Location

- 10.2. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed. It goes on to state that Local Planning Authorities should resist inappropriate development of residential gardens. The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.
- 10.3. This site is currently occupied by a detached house. The land is therefore considered to be previously developed land as it land which is or was occupied by a permanent structure.
- 10.4. The proposal is therefore acceptable and the development complies with the requirements of Policy CS2 of the Oxford Core Strategy and Paragraph 17 of the NPPF.

Housing Mix

- 10.5. Policy CS23 of the Oxford Core Strategy 2026 seeks to ensure that residential development delivers a balanced mix of housing to meet the projected future household need, both within each site and across Oxford as a whole. The mix of housing relates to the size, type and tenure of dwellings to provide for a range of households.
- 10.6. The Balance of Dwellings Supplementary Planning Document (BoDs) sets out the appropriate housing mixes for each Neighbourhood Area within the City. The application site is located within the Wolvercote Neighbourhood Area which has been classified as an amber area which requires the City Council to safeguard family dwellings and achieve a reasonable proportion of new family dwellings as part of the mix for new developments.
- 10.7. A mix can only be specified from a development of 4 or more units. This proposal is for 6 units, and therefore this policy applies. The proposed mix is for 2 units (33.3%) each for one bedroom, two bedroom and three bedroom flats. Therefore the proposal is in line to CS23 of the Oxford Core Strategy 2026.

Affordable Housing

- 10.8. Policy HP4 of the adopted Sites and Housing Plan states that planning permission for residential development on sites with capacity for 4- 9 dwellings will only be granted if a financial contribution towards affordable housing is secured, or 50% provided on site.

- 10.9. The proposal is subject to this policy as 6 new dwellings are proposed. The developer has indicated that they would not be willing to enter into a legal agreement to provide a contribution towards affordable housing. In the absence of this agreement there is also no evidence that has been provided to indicate that the site would not be viable if an affordable housing contribution was made.
- 10.10. It is important to provide more clarification of the affordable housing policy context with specific consideration to the changes to national policy and our own position. Officers have included an extract below from the recent report to Council (25th July 2016); this dealt specifically with affordable housing and the revisions to the National Planning Policy Guidance. This position reflects the recent Court of Appeal Decision where the changes to national policy requiring that there are no contributions towards affordable housing from small sites were considered. :

Officers are of the view that being the most unaffordable area of the Country coupled with a higher than normal dependence upon smaller sites must be precisely the sort of local circumstances contemplated by the Secretary of State as justifying departure from his national policy.

The Council will continue to determine applications for planning permission in accordance with the development plan unless material considerations indicate otherwise. It will specifically take account of national policy as to affordable housing contributions from smaller sites and the vacant building credit and the scope for exceptions justified by local circumstances.

The decision as to the weight to be applied to the national policy has to be made in the determination of each individual application. On the basis of the evidence as to local circumstances currently available officers are of the view that those circumstances justify the continued application of HP3 and HP4 consistently with the Secretary of State's explanation of his policy's effect.

The Council will also have full regard to the up-to-date evidence with regard to the local situation as well as both the government's National Planning Policy Framework and its Planning Practice Guidance in considering the inclusion of policies relating to the provision of, and contributions to, affording housing in formulating the local plan.

- 10.11. As a result of the failure to comply with the requirements of Policy HP4 of the Sites and Housing Plan and the provision of an affordable housing contribution, Officers recommend that the application be refused.

ii. **Design and Impact on Character of Surrounding Area**

- 10.12. The NPPF requires that local authorities seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It

suggests that opportunities should be taken through the design of new development to improve the character and quality of an area and the way it functions. Policies CP1, CP6 and CP8 of the Oxford Local Plan, together with Policy CS18 of the Core Strategy and Policies HP9, HP13 and HP14 of the Sites and Housing Plan in combination require that development proposals incorporate high standards of design and respect local character.

Layout and Appearance

- 10.13. The proposal has been designed to fit into the area. It has been set back at ground floor and responds well to the progression of building frontages at adjacent buildings. It has been designed with a generous frontage to the middle of the plot and not built up to the boundaries, as is common in the area.
- 10.14. In order to reflect the arrangement of the buildings along Sunderland Avenue, and particularly the recently constructed neighbouring development, the proposed building features a single central access point to the vertical circulation core, which provides access to the 6 units.
- 10.15. The façade is contemporary with clearly defined fenestration and detailing. A number of other contemporary buildings and design styles are present in the streetscene. The development would form an acceptable visual relationship in the streetscene.
- 10.16. A parking and turning area has been provided to the front of the dwellings, with separate pedestrian and vehicular access and some boundary walls and planting.
- 10.17. Areas for bin and cycle storage, private and shared amenity spaces have been provided at the side and rear, which will be considered further in the report.

Scale, Massing, Size

- 10.18. The proposal is for three storeys, with a mansard style roof. The building would be approximately 1.5metres taller than the existing building, but still short of the overall height of the neighbouring property (51 Sunderland Avenue). The ground floor is set back with the first floor cantilevered. The plot is very large and irregularly shaped. The scale, massing and size is acceptable for the natural and built context of the site. In coming to this view, officers have been mindful of the requirements of Policy HP9 of the Sites and Housing Plan (2013).

Materials

- 10.19. The proposed main materials would be grey/blue brick, timber cladding on the middle floor and standing-seam metal cladding and render. This contemporary design should provide a clean and attractive design and the materials would add visual interest. If planning permission is granted then a condition would be required to require further details relating to materials.

Conclusion

10.20. The proposal is considered acceptable in design terms and would have an acceptable relationship in the streetscene having had regard to the character and context of the existing properties in Sunderland Avenue.

iii. Impact on Neighbouring Amenity

Privacy & Overbearing

10.21. The proposal has been sympathetically designed to minimise impact on existing and future residents of the proposed new flats and the neighbouring dwellings. The requirements of Policy HP14 of the Sites and Housing Plan, including the 45/25 guideline has been applied and the building has been adequately staggered to meet the requirements of the guidelines. Therefore the proposal complies with the 45/25 guideline. No side windows are proposed on upper floors which would protect

10.22. It is considered that the proposal will not have a negative impact on existing or future residents in terms of privacy and is not considered overbearing, and therefore this scheme is in accordance with HP14 of the Sites and Housing Plan.

Indoor Space

10.23. The proposal is providing generous living accommodation, in accordance with the national space standards.

10.24. The development is considered acceptable and in accordance with Policy HP12.

Outdoor Space

10.25. Policy HP13 requires direct and easy access to outside amenity space, including balconies.

10.26. The proposal provides direct private outside spaces for the ground floor flats, and balconies for the upper flats. Unit 3 would have two balconies. Only Unit 4 would have a balcony that would not meet the minimum of 4.5 sqm.

10.27. There is a generous amount of shared communal gardens provided to the rear of the site.

10.28. There is sufficient bin storage provided, which details of secure and discreet storage solution could be required by condition.

10.29. On balance the provision of good quality shared communal space and some balconies would provide sufficient outdoor amenity space to meet the requirements of Policy HP13 of the Sites and Housing Plan.

Refuse, Delivery and Servicing Arrangements

10.30. Policy HP13 of the Sites and Housing Plan requires that there is adequate

screened refuse storage. The proposed development would provide sufficient space on site of the development, not far from the highway for refuse storage and this is considered to be acceptable in terms of the requirements of Policy HP13. Officers recommend that if planning permission is granted then a condition should be included to ensure that the refuse and recycling storage is provided prior to the occupation of the development.

iv. Transport

Transport Sustainability

- 10.31. The application proposes six car parking spaces overall, one for each of the proposed dwellings. This is below the number recommended in HP16 of the Sites and Housing plan, which requires one car parking space for a 1-bed dwelling and two car parking spaces for 2-bed+ dwelling. Therefore, the development is likely to increase on-street parking pressures in the area. The site is located within a CPZ. If planning permission is granted for the proposed development then it will be necessary to impose a condition to remove eligibility for on-street parking for occupiers.
- 10.32. The highway authority has noted that the application proposes a change in access from Sunderland Avenue onto the site, replacing the existing two entrances with a single central access point. This will involve the reinstatement of the existing dropped kerb and dropping of the centre kerb. If planning permission is granted then conditions would be required to ensure that the dropped kerbs are reinstated and visibility splays are provided in accordance with the County Council Highway's requirements.
- 10.33. The proposed access changes would alter on-street parking bays and the double yellow lines to the front of 53 Sunderland Avenue. The parking bays must be reinstated in front to the new development, either side of the new access point. Officers recommend that if planning permission is granted then amendments to the Traffic Regulation Order must be required by condition.

Cycle Parking

- 10.34. The development proposed sufficient cycle parking for sixteen cycles. The amount of cycle parking proposed is therefore consistent with the requirements of Policy HP15 of the Sites and Housing Plan which recommends two spaces for 1 or 2-bed dwellings and three spaces for 3-bed dwellings. Furthermore, the cycle parking is shown to be secure, enclosed and undercover. Officers recommend that if planning permission is granted then a condition should be included to ensure that the cycle storage is provided prior to the first occupation of the development.

Conclusion

- 10.35. The proposal is meeting highways and parking requirements. The proposal is acceptable with polices subject to the imposition of requested conditions.

v. Sustainability, Energy and Biodiversity

Contamination

- 10.36. The application site is not a known area of contamination but if planning permission is granted then an informative dealing with unexpected contamination is recommended.

Energy

- 10.37. The proposal is seeking to incorporate measures to reduce energy consumption at an appropriate scale for the size of the development. The Design and Access statement sets out justifications how efficiencies are achieved, which are considered acceptable. Officers recommend that if planning permission is granted then a condition seeking further details of the energy requirements and the implementation of the approved scheme should be included by condition in order that the development meets the requirements of Policy CS9 of the Core Strategy and Policy HP11 of the Sites and Housing Plan.

Biodiversity

- 10.38. The proposed development is not considered to likely be a location that would currently be a habitat for protected species including bats. In coming to this view, officers have been mindful of the urbanised context of the site. However, if planning permission is granted then a condition is recommended to ensure that biodiversity enhancement measures are required in order that the development complies with the requirements of Policy CS12 of the Core Strategy.

vi. Flooding and Drainage

Flooding

- 10.39. The application site lies in an area of low flood risk and the development would not increase the risk of flooding.

SuDS and Drainage

- 10.40. The application contains limited information relating to the management of surface water runoff and particularly in relation to the management of surface water on the site. If planning permission is granted then a condition is recommended that would require the submission of a drainage scheme and evidence dealing with surface water prior to commencement and the implementation of the approved scheme prior to the first occupation of the building.

vii. Other

- 10.41. There is some vegetation surrounding the application site and whilst the proposals would seek to retain the vegetation it is recommended that if planning permission is granted then conditions relating to the retention of vegetation and the installation of further landscaping should be included by condition in order

that the development meets the requirements of Policy CP11 of the Oxford Local Plan.

11. CONCLUSION

- 11.1. The development is considered acceptable in terms of design, amenity provisions, transport and technical details, but fails to meet the Sites and Housing Plan Policy HP4 to contribute to affordable housing, which is recommended as the basis for refusing planning permission.
- 11.2. It is recommended that the West Area Planning Committee resolve to refuse planning permission for the development.

12. APPENDICES

- 12.1. Appendix 1 – Site Plan

1. HUMAN RIGHTS ACT 1998

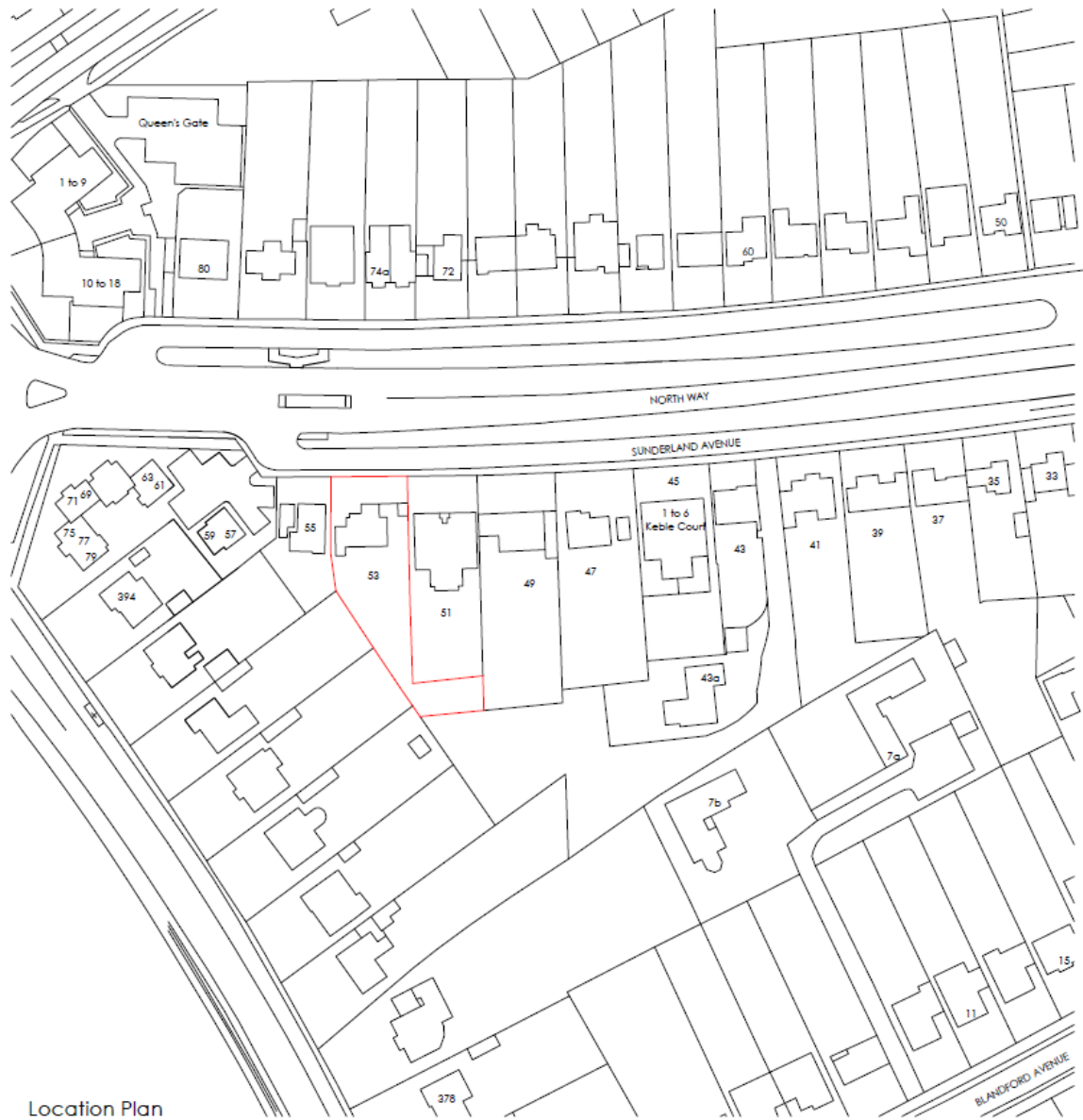
- 12.2. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to refuse this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection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

2. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

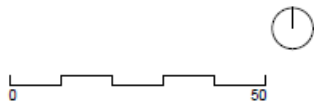
- 12.3. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to refusal of planning permission,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

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Location Plan: 53 Sunderland Avenue



Location Plan



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Minutes of a meeting of the WEST AREA PLANNING COMMITTEE on Tuesday 13 June 2017

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Committee members:

Councillor Upton	Councillor Azad
Councillor Cook	Councillor Fooks
Councillor Hollingsworth	Councillor Iley-Williamson
Councillor Pegg	Councillor Price
Councillor Wade (for Councillor Landell Mills)	

Officers:

Adrian Arnold, Development Management Service Manager
Robert Fowler, Planning Team Leader
Sarah Orchard, Planner
Philip Devonald, Planning Legal Locum
Catherine Phythian, Committee Services Officer

Apologies:

Councillor Landell Mills sent apologies.

1. Election of Chair for the Council year 2017-18

Councillor Upton was elected as Chair of the Committee for the 2017/18 Council year.

2. Election of Vice Chair for the Council year 2017-18

Councillor Cook was elected as Vice-Chair of the Committee for the 2017/18 Council year.

3. Declarations of interest

17/00250/FUL: Cllr Hollingsworth – a non-pecuniary interest as the Vice-Chairman of the Cripsey Meadow Allotment Association.

4. 17/00250/FUL: Castle Mill, Roger Dudman Way, OX1 1AF

Having declared an interest Cllr Hollingsworth left the meeting for the duration of this item.

The Committee considered a report detailing an application (17/00250/FUL) for planning permission for alterations for the continued use of the buildings as student accommodation at Castle Mill comprising: External alterations to elevations and roofs of the existing buildings; tree planting (including containers and supporting structures); alterations to, and landscaping of the courtyards; new cycle stores; alterations to existing lighting; and the formation of pedestrian pathways on the east side of Blocks 5 and 8 and the three gatehouses.

The Planning Officer presented the report.

Wendy Skinner Smith, John Keyes and Cllr Susannah Pressel spoke against the application.

Nick Brown and Paul Goffin (University of Oxford, applicants), Eddie Medicott and Nicholas Pearson spoke in favour of the application.

The Committee discussion included, but was not limited to, consideration of the concerns raised by the public speaker about the design and suitability of the “badger run” unless sheet metal was used in place of grid fencing. The applicant indicated that they would be willing to review the existing design of the “badger run” to address those concerns and the Committee agreed to secure this by condition.

In response to questions the planning officer confirmed that the requirement for a dilapidation survey and the scheduling of construction traffic movements would be covered by the Revised Construction Traffic Management Plan and Phasing Plan (Condition 6).

In reaching their decision, the Committee considered the officer’s report, presentation and the views and information provided by the public speakers. On balance, the Committee endorsed the planning officers’ view that the proposed design changes to the existing buildings will provide some mitigation for the not insubstantial harm that has been caused to the significance, in particular to the settings, of a number of high value heritage assets.

On being put to the vote a majority of the Committee agreed with the officer recommendation.

Decision

The Committee resolved to **approve** application (17/00250/FUL) for the reasons set out in the report and subject to the following (amended) conditions:

1. Development to commence within 6 months of date of permission in accordance with Unilateral Undertaking.

2. Develop in accordance with approved plans and specifications within the ES and supporting documents.
3. Samples of all materials.
4. Landscaping carried out by completion.
5. Submission of the Prescription Fertilization Plan.
6. Revised Construction Traffic Management Plan and Phasing Plan.
7. Securing on-site ecological expertise during construction.
8. Badger run kept free from obstruction during construction.
9. Cycle storage to provided as approved.
10. Revised Land Contamination Report.
11. Noise Assessment recommendations carried out.
12. Mitigation measures for the supression of dust during construction.
13. Details of sustainable urban drainage methods for hard surfacing.
14. Details of all external lighting.
15. Badger run – design modifications

5. 17/00913/FUL: Oxford City Council Depot, South Park, Cheney Lane, Oxford

The Committee considered a report detailing an application (17/00913/FUL) for planning permission for the erection of a Visitor Centre comprising cafe/restaurant, tasting room and bar for distillery and public conveniences (Use Class A3).

The Planning Officer presented the report. She made the following verbal updates:

- The Friends of South Park had re-affirmed their objection to the overall scheme but welcomed the provision of public toilets
- The regarding parking space dimensions in paragraph 24 of the report: 2.7m x 2.5m should read 2.7m x 5m
- The hours of the pub garden would be restricted until 10:30pm under condition 25 and it would not be reasonable to restrict the hatch serving the park as set out in the committee report. The sale of alcohol from the kiosk can be controlled through licensing.

Local residents Ann Edmunds and Laura Hollitzer spoke against the application.

In discussion the Committee noted the following points:

- Hours of operation – the opening hours for the Visitor Centre, including the kiosk, would be managed under Condition 24. It was anticipated that the Visitor Centre would be open from 9.30am to 11pm but the kiosk and garden would close at 10.30pm. The actual licensing hours for the restaurant and kiosk would be determined by the separate premises licence application.

- Use of public conveniences – the Visitor Centre had been designed to allow direct access to the public conveniences from the park during opening hours.
- Shuttle Bus – the shuttle bus service was regarded as a welcome initiative but was not a Highways Authority requirement; the details of the service (pick up / drop off locations and route) had not been finalised but would be managed through the Travel Plan (Condition 6)
- Landscaping – it was essential that the Landscaping Plan (Condition 11) should include a requirement for on-going maintenance of the planting
- Noise and anti-social behaviour – the concerns of local residents about a potential increase in anti-social behaviour were acknowledged however they are not anticipated and could be addressed under the licensing and environmental health regulations.
- Glazing and light pollution – although the glazed façade of the Visitor Centre might have an impact this should be considered in the context of the site location at the north eastern boundary of South Park and existing lighting on Cheney Lane and Warneford Lane.
- Land ownership and potential encroachment – the Committee acknowledged the concerns of the public speakers about the potential further encroachment of the distillery activities into the park; and noted the planning officers' advice events and music are controlled through licensing.

In reaching their decision, the Committee considered the officer's report, presentation and the views and information provided by the public speakers. The Committee gave careful consideration to the application in regard to Local Plan Policy SR5 – Protection of Public Open Space. On balance they concurred with the planning officer's assessment that:

The works and seating area outside of the original boundary of the depot help ease of movement and the relationship between the depot and the park. This is not considered to reduce the tranquillity or enjoyment of a large park but improve surveillance and facilities available to users of the park.

On being put to the vote a majority of the Committee agreed with the officer recommendation.

Decision

The Committee resolved to **approve** application (17/00913/FUL) for the reasons set out in the report and subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Samples in Conservation Area - Headington Hill.
4. Contaminated Land 1.
5. Contaminated Land 2.
6. Travel Plan.
7. Construction Traffic Management Plan.

8. Cycle Parking.
9. Drainage Compliance 1.
10. Drainage Compliance 2.
11. Landscape plan required.
12. Landscape carry out by completion.
13. Landscape hard surface design – tree roots.
14. Landscape underground services – tree roots.
15. Tree Protection Plan (TPP) 2.
16. Arboricultural Method Statement (AMS) 2.
17. Biodiversity enhancements.
18. Roof detailing.
19. Railing and gate detail.
20. Furniture details.
21. Lighting details.
22. Noise – mechanical plant.
23. Machinery – restricted hours.
24. Hours of use.

Councillor Pegg left the meeting at the end of this item.

6. 16/02998/FUL: 7 And 9 Leys Place, Oxford, OX4 3DE

The Committee noted that this application had been withdrawn.

7. 17/00858/FUL: 40 St Thomas Street, Oxford, OX1 1JP

The Committee considered a report detailing an application (17/00858/FUL) for planning permission for the demolition of existing building. Erection of three storey building plus basement to provide 9 x 1-bed flats and 1 x 2-bed flats (Use Class C3).

The Planning Officer presented the report. He corrected an error on the agenda which referred to 8 x 1-bed flats when in fact there were 9 flats. He also informed the Committee that following further consideration of the Arboricultural Impact Assessment, which raised concerns over the darkness of the amenity space due to the tree canopy, officers were of the opinion that this strengthened the case for refusal.

Neil Warner (agent) spoke in favour of the application and indicated some potential changes to the application which would mitigate the concerns about the quality of the amenity space and gave an assurance that the nursery facility would be re-provided.

He confirmed that the applicant was not prepared to provide a financial contribution towards the provision of affordable housing.

In reaching their decision, the Committee considered the officer's report, presentation and the views and information provided by the public speaker.

On being put to the vote the Committee agreed with the officer recommendation.

Decision

The Committee resolved to **refuse** application (17/00858/FUL) for the following reasons as set out in the report:

1. The proposed development, by virtue of its prominent siting, its increase in visual mass and its radically different external appearance that fails to adequately consider the context of the surrounding area would represent an alien and visually jarring addition to the streetscene as well as harm the setting of the nearby Listed Buildings (and in particular, the Church of St Thomas the Martyr and Coombe House). The development also fails to provide any landscaping that would soften the appearance of the development or contribute positively to the overall appearance of the site. As a result the development is contrary to Policies CP1, CP8, CP11 and HE3 of the Oxford Local Plan 2001-2016.
2. The application seeks the development of more than three dwellings; as a result a financial contribution is required towards the provision of affordable housing as set out in Policy HP4 of the Sites and Housing Plan (2013). The applicant has indicated that they are not willing to provide a financial contribution. The development also fails to provide any on-site provision of affordable housing and no evidence has been provided to indicate that on-site provision or a financial contribution towards affordable housing would make the scheme unviable. As a result, the development is contrary to Policy HP4 of the Sites and Housing Plan (2013) and Policy CS24 of the Core Strategy (2011).
3. The proposed shared outdoor amenity space that is proposed for the occupiers of some of the flats would be unacceptable for the number of flats it would serve and would provide a cramped and largely overlooked area that would have a very inconvenient and indirect access from the majority of dwellings in the building. As a result, the proposed development fails to provide acceptable provision of outdoor amenity space as required by Policy CP10 of the Oxford Local Plan 2001-2016 and Policy HP13 of the Sites and Housing Plan (2013).
4. The existing building is in use as a nursery which is considered to be a community facility for the purposes of Policy CS20 of the Core Strategy (2011). Despite the recent granting of planning permission 16/03318/FUL that planning permission has not been implemented and the site lies outside of the application site. As a result there is insufficient confidence that the facility would be re-provided and in the absence of a legal agreement there is no opportunity to ensure that the replacement nursery could be required to be re-provided. As a

result, the proposed development would result in a loss of a nursery and there is insufficient information to show that an alternative facility exists within equally accessible distance by walking, cycling and public transport. The development is contrary to Policy CS20 of the Core Strategy (2011).

8. 17/00718/FUL: North Oxford Garage Limited, Wolvercote Roundabout, Woodstock Road, Oxford, OX2 8JP

The Committee considered a report detailing an application (17/00718/FUL) for planning permission for the refurbishment to existing BMW dealership including an extension to the workshop and new MOT facilities for bikes and cars. A new construction is proposed north of the site to comprise of new wash bay, tyre store and valeting facilities.

The Planning Officer presented the report.

In discussion the Committee noted that Condition 7 would address concerns about the need for more landscaping on the site and that approval of this application would not preclude the site from becoming part of the wider Northern Gateway project in the future.

On being put to the vote the Committee agreed with the officer recommendation.

Decision

The Committee resolved to **approve** application (17/00718/FUL) for the reasons set out in the report and subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials.
4. Surface Water Drainage.
5. No external lighting.
6. Construction Traffic Management Plan.
7. Landscaping.
8. Cycle parking for customers.
9. Biodiversity.

9. 17/00719/RES: Westgate Centre And Adjacent Land, OX1 1NX

The Committee considered a report detailing an application (17/00719/RES) for planning permission for the appearance of the southern elevation of Building 4 at the Westgate Centre in respect of a revised window design, including the introduction of a door.

The Planning Officer presented the report.

On being put to the vote the Committee agreed with the officer recommendation.

Decision

The Committee resolved to **approve** application (17/00719/RES) for the reasons set out in the report and subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.
3. Materials as specified.

10. 17/00460/RES: Westgate Centre And Adjacent Land, OX1 1NX

The Committee considered a report detailing an application (17/00460/RES) for planning permission in respect of the use and internal reconfiguration of floorspace located in Building 2 (Second Floor), Building 3 (Lower Ground, Upper Ground, First and Second Floors) and Building 4 (Lower Ground and Upper Ground Floors).

The Planning Officer presented the report.

On being put to the vote the Committee agreed with the officer recommendation.

Decision

The Committee resolved to **approve** application (17/00460/RES) for the reasons set out in the report and subject to the following conditions:

1. Development begun within time limit.
2. Develop in accordance with approved plans.

11. Forthcoming applications

The Committee noted the list of forthcoming applications.

12. Minutes

The Committee resolved to **approve** the minutes of the meeting held on 9 May 2017 as a true and accurate record.

13. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 8.15 pm

Chair

Date: Tuesday 11 July 2017

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