

East Area Planning Committee

- 6th October 2011

Application Number: 11/01569/FUL

Decision Due by: 8th September 2011

Proposal: Retention of change of use of part of ground floor and whole of first floor from Class B1 offices to mixed Class B1 office and D1 educational use.

Site Address: SAE Oxford, Littlemore House, 33 Armstrong Road,
Appendix 1.

Ward: Littlemore Ward

Agent: JWPC Ltd

Applicant: SAE Education Ltd

Recommendation: Committee is recommended to support the proposals in principle but defer the application in order to complete an accompanying legal agreement and to delegate to officers the issuing of the Notice of Permission on its completion.

Reasons for Approval.

1. The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
2. The Council considers that the use of the application site for a mix of office and educational purposes is appropriate given the circumstances of the case and that the buildings involved had remained unoccupied for some time. The use would generate much less traffic than had previous occupiers of the site and can be offset in any event by the completion of a travel plan. The requirements of an accompanying legal agreement would restrict occupation of the application site to the applicant, and also student numbers and the accommodation they occupy. No objections to the proposals have been received.

Main Planning Policies:

Oxford Local Plan 2001-2016

CP6 - Efficient Use of Land & Density

CP10 - Siting Development to Meet Functional Needs

CP13 - Accessibility

TR3 - Car Parking Standards
TR4 - Pedestrian & Cycle Facilities
TR12 - Private Non-Residential Parking
EC1 - Sustainable Employment
EC8 - Employment Training
ED9 - Private Colleges - New Teaching Premises
ED10 - Private Colleges - Student Accommodation
DS44 - Littlemore Park, Armstrong Road

Oxford Core Strategy 2026

CS25 - Student accommodation
CS27 - Sustainable economy
CS28 - Employment sites

Other Material Considerations:

PPS 1 - Delivering Sustainable Communities.
PPS 4 - Planning for Sustainable Economic Growth.
PPG 13 - Transport

Conditions.

1. Approved plans.
2. Permission personal to SAE.
3. Occupation by students on courses of one academic year or more.
4. Additional cycle parking.
5. Travel plan.

Legal Agreement.

1. Maximum number of students enrolled limited to 300.
2. No more than 15% of enrolled students to live in open market accommodation.
3. Annual monitoring report to be submitted.

Public Consultation.

Environment Agency: Low environmental risk; unable to provide comments.

Thames Water: No objection.

Thames Valley Police Crime Prevention Design Advisor: No objection; no further comments to make.

Littlemore Parish Council: No objection, subject to neighbour comments and Building Regulations.

Highway Authority: No objection; at present limited number of peak hour movements; additional cycle parking to be provided; travel plan required.

Summary of Planning History.

1. In 1995 planning permission was granted in outline for the use of part of the former Littlemore Hospital for Class B1 Business use including that part of the site now the subject of this current planning application. This was accompanied

by a legal agreement restricting the business use to scientific and technological research within Class B1 for a period of 10 years. This was followed by a reserved matters application by the Yamanouchi Research Institute who on the grant of permission occupied the building undertaking medical research focussed on cell biology. The company vacated the site in 2001 however. The restriction on scientific and technological research lapsed in 2005, after which the use reverted to an unrestricted Class B1 Business accommodation.

2. In 2006 planning permission was granted for refurbishment of the unoccupied building and in 2008 it was acquired by the current applicant, SAE (formerly known as the School of Audio Engineering). In August of that year a Lawful Development Certificate was granted which confirmed the authorised use as unrestricted Class B1 Business use. In granting the Lawful Development Certificate it was acknowledged however that some ancillary training and educational activities were taking place at that time. Following an inspection of the site two years later in 2010 it was concluded that the training and educational element of SAE's activities had expanded and that its occupation of the building had extended beyond the authorised Class B1 Business use.
3. The current application is submitted with the intention of regularising the existing activities at the building in order to allow the expansion of SAE's educational programme whilst also establishing Littlemore as the world headquarters of the group currently based at Byron Bay, Queensland, Australia.

Officers Assessment:

Background to Case

4. The SAE Institute is described in the planning application as the largest private creative media college in the world, specialising in the fields of audio engineering, 3D animation, multimedia and digital film making. In 2008 it announced its decision to relocate its headquarters from Byron Bay in Queensland to the Littlemore site. SAE operates as a stand alone company within the Navitas Group, an Australian diversified global education provider which itself offers pre university and university programmes in Australia, the UK, Canada, Asia and Africa. In the UK it currently has educational premises in London, Liverpool and Glasgow.
5. SAE now occupies the bulk of the building indicated in **Appendix 1**, other than the ground floor of the southern wing which is unoccupied but offered for separate letting as Class B1 offices. Since its first occupation of the building SAE has increased its educational role and as of October 2011 currently has approximately 120 students enrolled in Oxford. Simultaneously it is in the process of relocating staff and key personnel to the Littlemore site. Various degree level courses are offered of two years duration, or diploma courses of 1 year. These courses concentrate on audio production / engineering, music technology and digital film making, involving both theoretical and practical classes, including studio time. Tuition can be on a group or one to one basis when studio time is involved. SAE's stated aspiration is to grow as an Oxford based educational institution with up to 500 students and 60 staff.

6. In order to allow education and teaching to continue and expand at Littlemore a partial change of use is required. As such the planning application proposes approximately two thirds of the total floorspace of 3,000 sq m be used for teaching purposes and supporting administration, and one third for office accommodation in relation to the site's role as the SAE's world headquarters. That part of Littlemore House not occupied by SAE and currently to let remains in as office accommodation.
7. Officers consider the key determining issues in this case to be:
 - use of the site for a mix of educational and office based activities;
 - the accommodation of SAE's students; and
 - highways, access and parking.

Use of Site for Mix of Education and Employment.

8. The application site is allocated in the adopted Oxford Local Plan for science and technology based industries within Class B1 Business use. Although the current application relates to a significant amount of existing floorspace, large tracks of undeveloped land adjacent remain available for employment uses as part of a larger site identified under policy DS.44:

"Planning permission will be granted on land at Littlemore Park for the development of science and technology based industries concerned primarily with research and development, especially those related to research facilities in the area. Development of the playing field will be subject to its relocation or the improvement of facilities elsewhere in Oxford. Policy EC.1 will not be applied to this site."

9. Moreover the recently adopted Core Strategy policy CS.28 also states:

"Planning permission will not be granted for development that results in the loss of key protected employment sites."

Planning permission will only be granted for the modernization and regeneration of any employment site if it can be demonstrated that new development:

- *secures or creates employment important to Oxford's local workforce; and*
- *allows for higher - density development that seeks to make the best use and most efficient use of land; and*
- *does not cause unacceptable environmental intrusion or nuisance.*

Planning permission will only be granted for the change of use or loss of other employment sites (ie those not key protected employment sites), subject to the following criteria:

- *overriding evidence is produced to show the premises are presently causing and have consistently caused significant nuisance or environmental problems that could not have been mitigated:*

or

- *no other future occupiers can be found despite substantial evidence to show the premises or site has been marketed both for its present use and for potential modernization or regeneration for alternative employment - generating uses; and*
- *the loss of jobs would not reduce the diversity and availability of job opportunities; and it does not result in the loss of small and start - up business premises, unless alternative provision is made in Oxford.”*

10. Whilst Core Strategy policy CS.28 seeks to protect employment use at this site and elsewhere it does allow changes of use to take place subject to the criteria listed. In this case the application site was vacant for several years following the departure of Yamanouchi despite marketing efforts, and only became occupied by SAE from 2008. Indeed that part of the building not occupied by SAE remains available for letting as Class B1 offices. If permission is granted for the current proposal a total of 1,737 sq m of office accommodation would still remain, (1,126 sq m for SAE, and 611 sq m still unlet), with 1,926 sq m used for educational purposes. Current levels of employment by SAE amount to 8 full time and 7 part time posts. This is estimated could rise to 30 full time and 30 part time posts within 5 years or so if the company's hoped for expansion on the site continues. In addition the currently unlet offices within the building could also be expected to accommodate perhaps 35 or more staff if let as conventional commercial offices, or rather more if used for more specialist office functions.

11. In addition to its educational related activities the SAE offices would also support the Institute's worldwide activities. The following office based functions would therefore be based here:

- headquarters for the SAE Institute;
- administrative activities relating to the Institute's headquarters;
- marketing department;
- online department comprising of web developers, graphic designers and webmasters;
- research and development in relation to recording consoles and audio equipment;
- training;
- administration and management of online graduate schemes;
- curriculum development; and
- international research centre (- individuals attending the site to undertake research either for submission to journals or as part of a master's degree).

12. Whilst it is recognized that the proposals involve the loss of some office floorspace to educational use within the building, the nature of the courses offered by SAE relate well in economic terms to some of Oxford's key areas of strength in education and the "knowledge economy", as they involve innovation and research in the fields of audio engineering, 3D animation and digital filmmaking. In short officers are persuaded that a case has been made for part of the building to be occupied by SAE for educational use whilst the remainder retains its B1 office use and adjacent sites are still available for further employment generating development.

Accommodation of Students.

13. At its first occupation of Littlemore House in 2008 SAE had some 30 enrolled students based there. This expanded to 69 in 2010 and to approximately 120 for the academic year just commencing. The students are typically in their 20s or more with 19% at present in the age range 18 to 20, 43% aged 21 to 24, and 38% aged 25 years or over. Of its student intake in 2010 some 49% were either already living in Oxford or commuting in from their normal address, 16% were from elsewhere in the UK, and 35% were either EU nationals or international students from other countries.
14. The expressed intention of SAE to expand its numbers in the years ahead is dependant upon its ability to expand the floorspace available for teaching purposes, including one to one studio - based tuition. The maximum number of students which could reasonably be accommodated for teaching purposes at any one time in Littlemore House as currently configured is approximately 170. As more of the floorspace is converted, then this enables more lecture and seminar spaces and studios to be created and fitted out accordingly. Within 5 or 6 years SAE have an aspiration to accommodate perhaps up to 500 students based at the site. Currently the institute have no residential accommodation of its own for these students however and for those students not resident at their pre existing home address the college uses a mix of family "homestays" and rental accommodation on the open market. The submitted application indicates that only open market rented accommodation with the requisite planning permission for multiple occupation or licence under the Housing Acts where required are used.
15. As student numbers expand it is anticipated that the proportion of students living locally already or commuting would remain at about 45%, but that a greater proportion would rely on homestays which are indicated to be popular with foreign students in particular. If SAE were to reach its target of 500 students it estimates that perhaps up to 23% (or 115) of its students might require rental accommodation and 32% (160) homestays. Whilst no objection is raised to the use of family homestays for which SAE indicate a potential pool of suitable accommodation within this part of the city, Officers are more concerned regarding the additional pressure brought to bear by students potentially living in the private rented sector.
16. The relevant Local Plan policy relating to private educational institutions and the accommodation of its students is ED.10:

"Planning permission will only be granted for the establishment of new educational establishments or the expansion of existing ones where the applicant agrees to:

 - a. a limit on the overall numbers; and*
 - b. to accommodate the students in other educational premises, purpose built accommodation or family lodgings."*
17. Also of some relevance in terms of this approach is Core Strategy policy CS.25 which relates primarily to Oxford's two universities and requires that where new

academic floorspace is proposed it must be matched by additional purpose built student accommodation such that the numbers of students enrolled at each who live in private rented accommodation falls below a ceiling of 3,000. Recent permissions have ensured that both institutions are now at or below the 3,000 figure.

18. In view of the potential impact on the private rented sector and pool of accommodation available to permanent residents, Officers take the view that similar principles should apply to SAE. For its part the institute argues however that it may not be viable to construct its own student accommodation or acquire accommodation from private providers until a critical mass of about 300 or more enrolled students is reached. Moreover it is recognized that unlike other institutions the age profile of SAE's students is biased towards older groups with over 80% aged over 20, and well over one third aged over 25, a proportion of whom may be couples or young families for whom accommodation in purpose built student residences may be less attractive.
19. As the accommodation needs of SAE's students for the academic year just commenced will now be in place, it is suggested therefore that from the academic year commencing 2012/13 a legal agreement should require overall student numbers to be limited in the first instance to 300; no more than 15% of those students should be resident in open market accommodation; and that an annual monitoring report of the accommodation occupied is submitted for approval. If and when the figure of 300 students enrolled is reached in the years ahead this would allow a maximum of 45 students to occupy accommodation on the open market. This would equate to perhaps 10 or 12 shared properties. If expansion of numbers is envisaged beyond 300, then in the officers' view that should be accompanied by the provision of purpose built student accommodation for a proportion of its students, but with the ceiling of 45 students resident in open market accommodation remaining. Such an approach would allow the Institute to expand further at that stage but without imposing additional pressure on the general housing market.
20. In view of these considerations which are unique to SAE, it is also suggested, unusually, that the planning permission is made personal to the applicant.

Highways, Access and Parking.

21. When detailed planning permission was granted for office use of the application site in the 1990s provision for some 150 car parking spaces was made. In the event 113 car parking spaces are currently present in well landscaped grounds, 8 of them for disabled use. This is rather more than the 81 spaces required at current standards for the uses proposed plus the presently unlet office accommodation not forming part of this application. Since the occupation of the greater part of Littlemore House by SAE, the number of vehicles parked at any one time each day is rarely more than 10 however. A cycle store with capacity for 40 cycles is also present to the rear of the site. This level of cycle provision falls some way short of a current requirement for 60 or more spaces for the institute, assuming approximately 120 enrolled students.

22. A recent survey of staff and students' modes of transport, (which attracted a response rate of 61%), indicated that the majority arrived each day by one mode of transport and only a minority by two modes such as train / bus or train / cycle. For staff using one mode only, 38% traveled by car with the remainder traveling on foot, by bicycle or on public transport. For students the equivalent figures were 48% by car, 22% on foot, 15% by bicycle and 9% by bus. The remainder were car sharers or arrived by taxi.
23. Overall the results indicate that staff and students currently arrive by a variety of modes of transport, and that traffic volumes are a fraction of those of Yamanouchi when it occupied the site. Moreover times of arrival do not necessarily coincide with peak traffic movements on the network as students' hours typically start later and extend beyond the normal working day. The small number of administrative staff at the institute work between 9.00 am and 6.00 pm Monday to Friday, and admissions and teaching staff 10.00 am and 6.00 pm, also Monday to Friday. Students' structured tuition times are typically set for mid morning and mid afternoon however with up to 40% staying later into the afternoon and evening to use studios, library and other teaching facilities which are available for practical and private study between 10.00 am and 10.00 pm Monday to Saturday.
24. Given these atypical patterns of movement and the relatively small numbers of staff and students currently involved, the Highway Authority raise no objection to the current proposals. However in view of SAE's stated intentions to expand over a period of years it requests that a travel plan be put in place which can be drawn up to address the increasing transport requirements in future years. It also requests additional cycle parking be provided. It is suggested that cycle parking could conveniently be located close to the main entrance to the institute to replace underused car parking spaces there.

Conclusion.

25. The planning application relates to an extensive and attractive complex of buildings which have been largely unused since the departure of Yamanouchi from the site. It's occupation now by SAE represents a part change of use from office accommodation to part office use for the institute's world headquarters, and part use as an educational institute. The institute is involved in areas of education which have an empathy with the strengths of the local economy in education and the knowledge economy. Officers take the view therefore that a part change of use is supportable providing other related matters are resolved. In this regard controls on the accommodation of the greater numbers of students other than in the general housing market is justified and can be controlled by legal agreement as the institute grows. Similarly the introduction of a travel plan will seek to ensure that traffic movements to the site remain at low levels.
26. Committee is recommended to support the proposals accordingly.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and accompanying legal agreement. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

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

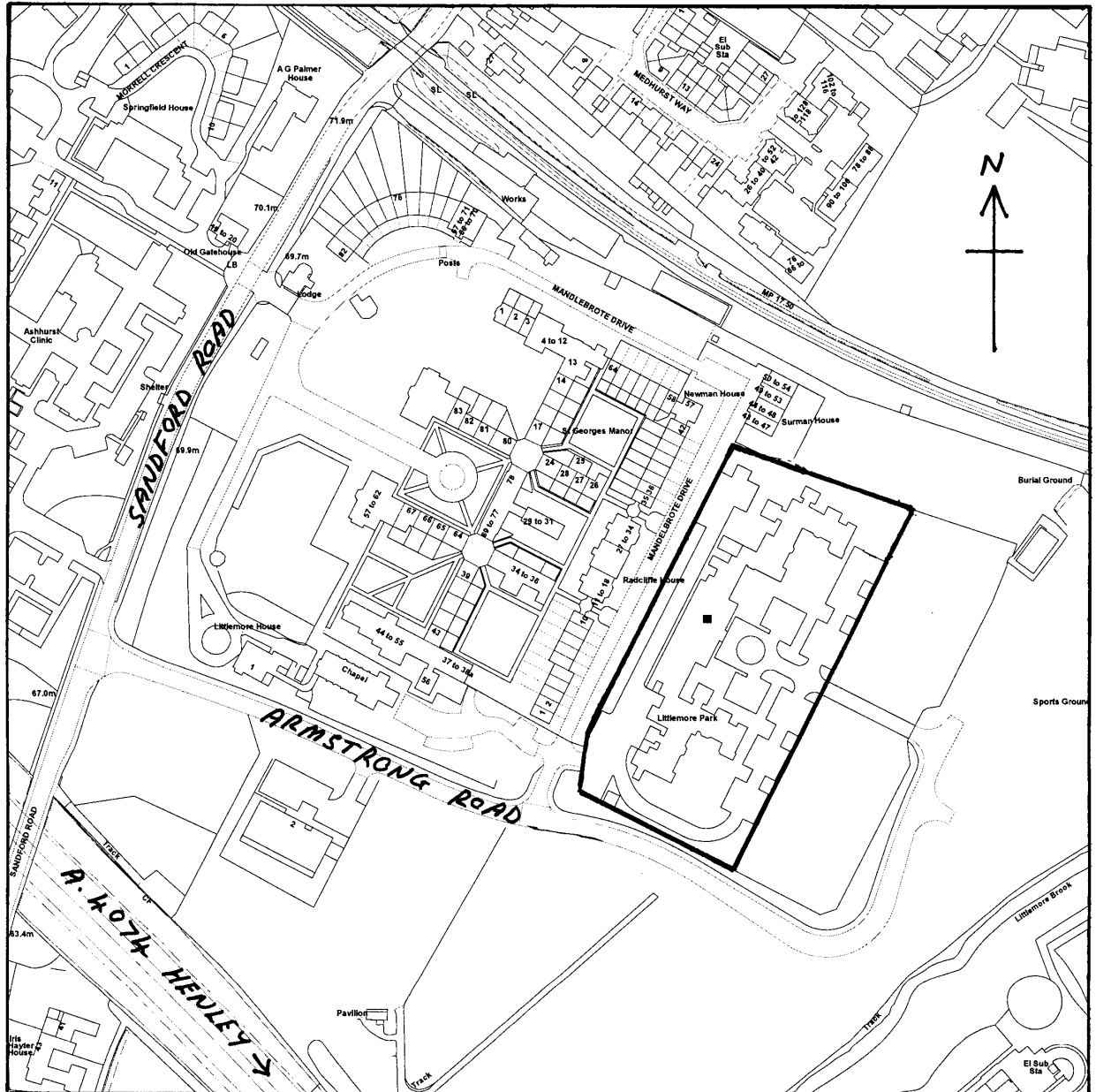
Background Papers: Planning applications 93/00391/NOY, 95/00283/NRY, 06/00524/FUL, 08/01164/CPU, 11/01569/FUL.

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Date: 23rd September 2011

APPENDIX 1



Km 0.05 0.1 0.15 0.2 0.25

- 11/01569/FUL
- SAE, ARMSTRONG ROAD, LITTLEMORE.

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