

## WEST AREA PLANNING COMMITTEE

11<sup>th</sup> July 2017

**Application Number:** 17/01187/FUL

**Decision Due by:** 15<sup>th</sup> 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

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## 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:

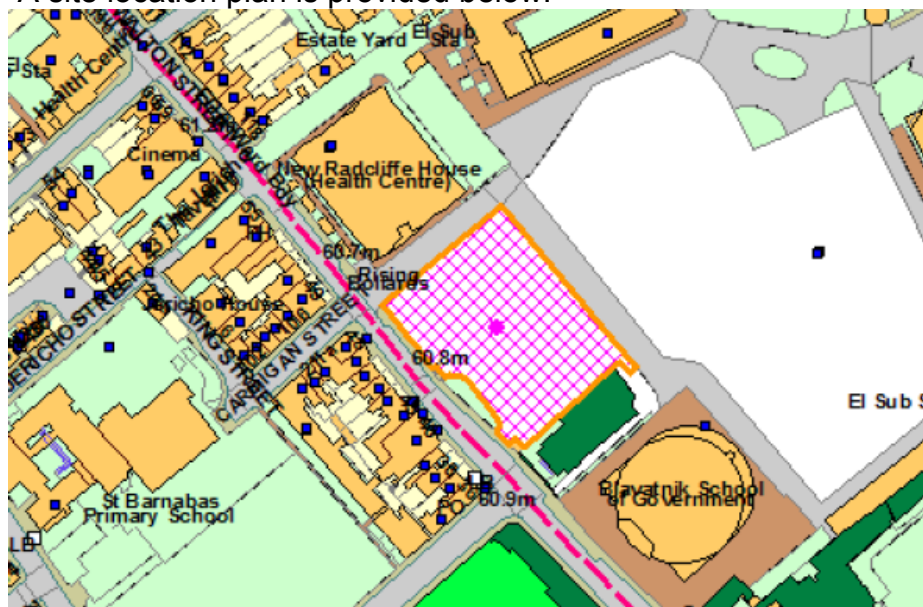
- Principle of development;
- Heritage, design and impact on the character of the surrounding area;
- Impact on neighbouring amenity;
- Highways and traffic impacts;
- Energy Impacts

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

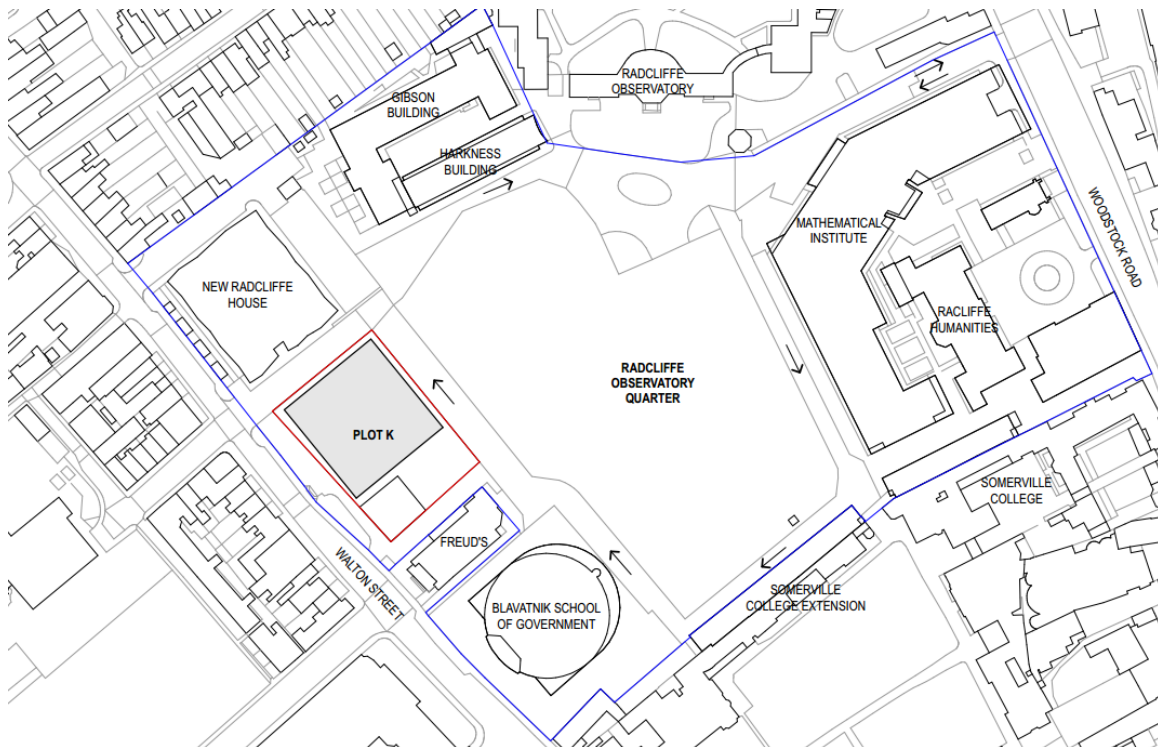
2.3. Officers consider there to be exceptional circumstances arising from the closure of the Tinbergen building which, to ensure the continued function of the Department of Experimental Psychology, warrants the erection of a temporary building.

### 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 2680m<sup>2</sup> 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 east-west 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
<b>Design</b>	7 Paragraphs 56 - 68	CP.1, CP.6, CP8, CP.9, CP.10, CP13, CP25	CS18		
<b>Conservation/ Heritage</b>	12 Paragraphs 126 – 141, of particular relevance is paragraphs 128 and 129	HE.3			
<b>Natural Environment</b>	11 Paragraphs 109 – 125,	CP.11, NE.16, NE.21, NE.22	CS9, CS11, CS12		
<b>Social and community</b>	8 Paragraphs 69 – 78, of particular relevance is paragraph 74.		CS19, CS29	Site Allocation SP47	
<b>Transport</b>	4 Paragraphs 29 - 41	TR.1, TR.2, TR.3, TR.4,TR.6, TR.12, TR.13	CS13		Parking Standards SPD
<b>Environmental</b>	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 18<sup>th</sup> May 2017 and an advertisement was published in the Oxford Times newspaper on 25<sup>th</sup> 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 13<sup>th</sup> 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 14,377m<sup>2</sup>. 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 facilities<sup>1</sup> ;
- 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 19<sup>th</sup> 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 2000m<sup>2</sup>, 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