

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Or, if the objections from Sport England and the Council's Archaeologist are withdrawn or modified in advance of the committee meeting then the following is recommended: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

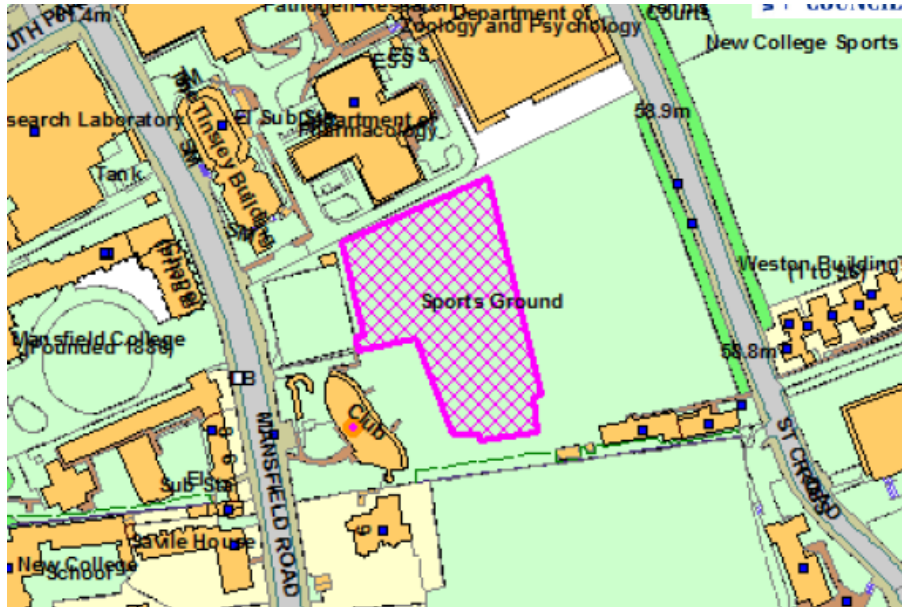
2. EXECUTIVE SUMMARY

- 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
----------------------	---------------------------	-------------------------------	------	----------------------------

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

This page is intentionally left blank