EAST AREA PLANNING COMMITTEE

Application Number: 17/01212/FUL
Decision Due by: 31.08.2017
Extension of Time: 13.10.2017
Proposal: Retention of single storey building with ramped access to the east elevation and incorporating internal access to the main building.
Site Address: Nuffield Orthopaedic, Windmill Road, Oxford, Oxfordshire, OX3 7HE
Ward: Headington
Agent: Carter Jonas Applicant: Ms Sheila Aldred
Reason at Committee: Over 500m2 of Non-Residential Floorspace

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

(a) Approve the application for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

(b) 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 the retention of a single storey building with ramped access to the east elevation and incorporating internal access to the main building.

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

- Principle of development;
- Design;
- Highways;
- Amenity;
3. SITE AND SURROUNDINGS

3.1. The site is located within the Nuffield Orthopaedic site. The building for which retention is sought is located in the south eastern corner of the site between Windmill Road and Old Road and is an extension of the original hospital building within a car park. This corner is the site is well screened with mature planting and is not readily visible from the adjoining roads.

3.2.

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4. PROPOSAL

4.1. The application proposes the retention of a single storey building with ramped access to the east elevation and incorporating internal access to the main building.

5. RELEVANT PLANNING HISTORY

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

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Description of Development</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>05/02114/FUL</td>
<td>Erection of a single storey building for a period of 3 years to accommodate two operating theatres and ancillary accommodation and a link to the existing Mayfair Building – Option 1 (being a modular building (Amended Plans)).</td>
<td>PERMITTED 29th November 2005</td>
</tr>
<tr>
<td>11/00456/FUL</td>
<td>Retention of single storey theatre suite for a further three years.</td>
<td>PERMITTED 4th May 2011</td>
</tr>
<tr>
<td>12/01181/FUL</td>
<td>Relocation of modular building, incorporating two theatres and ancillary accommodation for a temporary period of five years. (Amended plans) (Amended description)</td>
<td>PERMITTED 11th July 2012</td>
</tr>
</tbody>
</table>

6. RELEVANT PLANNING POLICY

6.1. The following policies are relevant to the application:
7. CONSULTATION RESPONSES

7.1. Site notices were displayed around the application site on 17th July 2017.

_Statutory and Non-Statutory Consultees_

Natural England

7.2. No comment.

Oxfordshire County Council (Highways)

7.3. No objection has been received from the Local Highway Authority. Whilst the proposal would result in the permanent loss of parking spaces it is considered acceptable in an area where on street parking is controlled.

_Public representations_

7.4. No third party comments were received.

8. PLANNING MATERIAL CONSIDERATIONS

8.1. Officers consider the determining issues to be:

i. Principle of development;
ii. Design;
iii. Highways;
iv. Amenity;
v. Other Matters;

i. **Principle of Development**
8.2. The site is an allocated site within the Sites and Housing Plan. Policy SP38 relates to the Nuffield Orthopaedic Site and supports further healthcare and medical research facilities on the site. The policy allows this development where car parking spaces are minimised on the site and alternative modes of transports are encouraged. The policy also puts emphasis on surface water run-off into the Lye Valley SSSI and increased pressure on the water and sewage network. The proposal meets the principle of development on the site by proposing a suitable use. Other material considerations are discussed within the report.

8.3. The temporary permission for the building expired on 11th July 2017 following the submission of this application. This permission stated that permission was granted on a temporary basis for 5 years as it was considered that the appearance was not suitable on a permanent basis. No further justification for a temporary permission was given in the officer’s report, however only a temporary permission was sought. The modular building had been relocated from the south west corner of the Nuffield site where it had benefitted from two temporary 3 year permissions. This was in a more visible location.

ii. Design and Impact on Character of Surrounding Area

8.4. 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 in combination require that development proposals incorporate high standards of design and respect local character.

8.5. The modular building was designed as a temporary structure to house two operating theatres. However due to an increased number of referrals for hip and knee surgery there is a need to retain Theatres 7 and 8 at the Nuffield Orthopaedic Centre. Theatres 7 and 8 account for 25% of all activity at the centre. If the building were not to be retained it would result in patients having to wait over 18 weeks for treatment and the NHS would fail to meet targets.

8.6. Although the building was originally intended as a temporary addition to the centre it does not appear as an obtrusive addition and is well screened in its current location by mature planting. Whilst the proposal presents a missed opportunity to design an extension which integrates better with the well-designed circular patterns of the host building, this would be costly and it would be more environmentally sustainable to retain the existing building and make use of its lifespan.

iii. Highways

8.7. The Local Highway Authority note that the single storey building is located on an existing car park and this resulted in a loss of 26 car parking spaces and 2 disabled car parking spaces. The continued loss of car parking spaces may increase parking pressures on the site, however the surrounding area of the site is located with a Controlled Parking Zone and therefore any increase in overspill
parking will be restricted. The Local Highway Authority does therefore not object to the proposal.

8.8. Furthermore the centre is located on well serviced bus routes (No. 4 and 10 and the Park and Ride which passes through the site) and is therefore easily accessible by public transport. In accordance with the requirements of policy SP58, sustainable modes of transports are promoted and patients are given public transport information with their appointment details.

iv. **Amenity**

8.9. The modular building is located within the Nuffield Orthopaedic Site and sited a good distance from residential properties in Windmill Road and Old Road with a mature tree buffer. The proposal is therefore not considered to have a detrimental impact on the amenity of neighbouring occupiers in terms of loss of light, overbearing impact, noise or nuisance. The proposal is therefore considered to comply with policy CP10 of the Oxford Local Plan.

v. **Other Matters**

8.10. Policy SP38 puts emphasis on surface water run-off into the Lye Valley SSSI and increased pressure on the water and sewage network. Since the building is existing and has been on the site for over 10 years this proposal is not considered to have an adverse impact on utility networks or additional surface water run-off to the Lye Valley SSSI.

9. **CONCLUSION**

9.1. The proposed retention of the modular building containing theatres 7 and 8 at the Nuffield Orthopaedic Centre on a permanent basis results in the sustainable reuse of an existing building which does not cause significant harm to the character and appearance of the host building and the surrounding area and improves the health care facilities available in the city.

9.2. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the approval of conditions listed below.

10. **CONDITIONS**

1. 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.

   **Informatives**

   1. In accordance with guidance set out in the National Planning Policy Framework,
the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

APPENDICES

Appendix 1 – Block Plan
HUMAN RIGHTS ACT 1998
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.

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