

WEST AREA PLANNING COMMITTEE

Application Number: 17/02519/VAR

Decision Due by: 4th January 2018

Extension of Time: Not required

Proposal: Variation of condition 2 (Development in Accordance with Approved) and removal of Condition 14 (Community Use) of planning permission 17/01144/FUL (Erection of a teaching laboratory modular building for the Departments of Zoology and Biochemistry (Use Class D1) for a temporary period of 4 years and 10 months).

Site Address: The University Club, 11 Mansfield Road, Oxford, OX1 3SZ

Ward: Holywell Ward

Case Officer Natalie
Dobraszczyk

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

Reason at Committee: Amendments proposed to previously approved scheme.

1. RECOMMENDATION

1.1. West 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 10 of this report; and

(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 proposals to vary condition 2 (Approved Plans) and remove condition 14 (Community Use Agreement) of planning consent 17/01144/FUL

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

- Design and Impact on Character of the Surrounding Area;

- Impact on Neighbouring Amenity;
- Access/ Cycle Parking Provision;
- Community Access to Sports Facilities.

2.3. The proposed changes to the approved plans are considered to be acceptable and Officers recommend approval of the proposed variations to condition 2 of planning consent 17/01144/FUL.

2.4. Officers consider that the removal of condition 14 of planning consent 17/01144/FUL would not be detrimental in terms of reducing community access to sports facilities due to the existing high usage of the sports pitch.

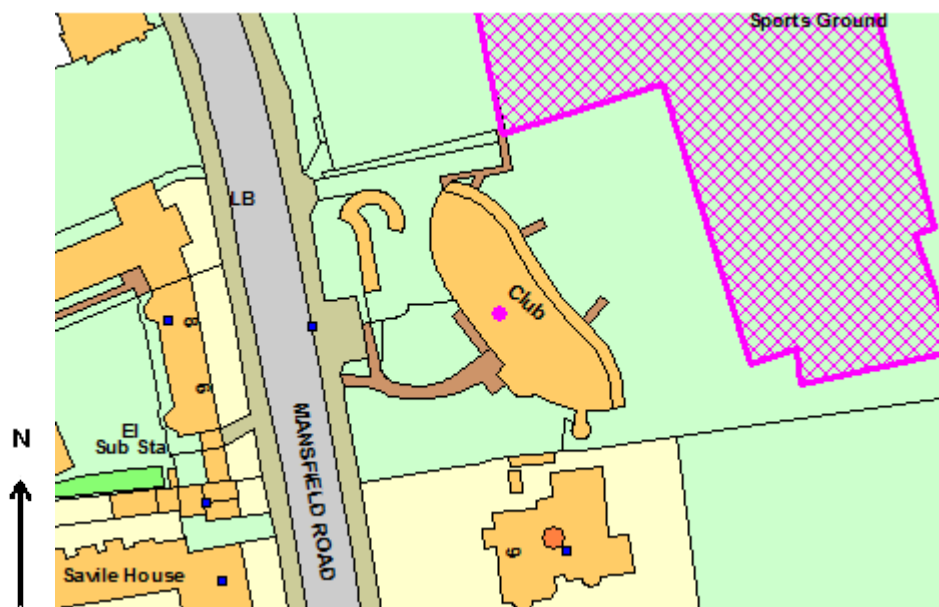
3. SITE AND SURROUNDINGS

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:



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Ordnance Survey 100019348

4. PROPOSAL

4.1. The application proposes the following variations to condition 2 (Approved Plans) of planning consent 17/01144/FUL:

Approved Reference	Plan	Proposed Reference	Plan	Summary of Proposed Amendments
D-A-2F2200 (Site Plan) and P-AR-12120 Rev A (Cycle Parking Plan)		DR-A-00009-S2-P3 (Site Plan)	(Site Plan)	Proposed extension to the approved plant enclosure to the north; The fire tender access is proposed to move closer to the approved building; Extent of hardstanding confirmed and modifications to bicycle stand positioning.
P-A-20200 (Roof Plan)		DR-A-00002-S2-P2 (Roof Plan)	(Roof Plan)	Removal of 4 approved rooflights.
P-A-30200 rev. 00 (South and West Elevations)		DR-A-00007-S2-P3 (South and West Elevations)	(South and West Elevations)	Modifications to 2 doors and insertion of 5 windows within the west elevation; Extension of plant enclosure and insertion of louvres; Increase in fence height to 3.1 metres; covered walkway to building entrance is proposed in timber with a small mono-pitch slope.
P-A-30300 rev. 00 (North and East Elevations)		DR-A-00006-S2-P3 (North and East Elevations)	(North and East Elevations)	Modifications to 4 doors in the north and east elevations; Removal of 1 door in the east elevation; Removal of all windows in the north elevation; Extension of plant enclosure; Increase in fence height to 3.1 metres; covered walkway to building entrance is proposed in timber with a small mono-pitch slope.
P-A-12100 rev. 00 (Proposed Ground Floor Plan)		DR-A-20002-S2-P10 (Ground Floor Plan)		Modifications to 2 doors and insertion of 5 windows within the west elevation; Modifications to 4 doors in the north and east elevations; Removal of 1 door in the east elevation;

Removal of all windows in the north elevation; Extension of plant enclosure.

- 4.2. The application also proposes the removal of condition 14 (Community Use Agreement) of planning consent 17/01144/FUL which states:

“Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the playing fields and ancillary changing provision and include details of pricing policy, hours of use, access by non-educational establishment users/non-members, management responsibilities and a mechanism for review. 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.”

5. RELEVANT PLANNING HISTORY

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

01/01724/CAC - Conservation Area consent for demolition of existing pavilion / groundsmans flat (Amended plans). Approved 22nd March 2002.

01/01725/FUL – Demolition of existing Pavilion/groundsmans flat. Erect 4 storey building incorporating sports and leisure uses on 3 floors and 14 bedrooms on 3rd floor with plant in roofspace. Artificial surface to tennis courts (Amended plans). Approved 1st October 2002.

06/00679/FUL - Erection of 8 x 8m high flood lighting columns around perimeter of multi-use games area. Approved 12th May 2006.

17/01144/FUL - Erection of a teaching laboratory modular building for the Departments of Zoology and Biochemistry (Use Class D1) for a temporary period of 4 years and 10 months. Approved 8th August 2017.

17/01259/FUL - Erection of a research and administrative modular building for the department of Zoology (Use Class D1) for a temporary period of 4 years and 10 months. Approved 8th August 2017.

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	CP1, CP6, CP8, CP9, CP10, CP13, CP25,	CS18_	
Conservation/ Heritage	12 Paragraphs 126 – 141, of particular relevance is paragraphs 128, 129, 134 and 135	HE7,		
Natural Environment	11 Paragraphs 109 – 125,	CP11, NE16, NE22,	CS2_ , CS9_ , CS11_ , CS12_ ,	
Social and community	8 Paragraphs 69 – 78, of particular relevance is paragraph 74.	SR2,	CS19_ , CS21_ , CS29_ ,	
Transport	4 Paragraphs 29 - 41	TR1, TR2, TR3, TR4, TR6, TR12, TR13,	CS13_ ,	Parking Standards SPD
Environmental	10 Paragraphs 93 - 108	CP20, CP21, CP22, CP23,	CS10_ ,	Energy Statement TAN

7. CONSULTATION RESPONSES

7.1. Site notices were displayed around the application site on 13th October 2017 and an advertisement was published in The Oxford Times newspaper on 26th October 2017.

Statutory and Non-Statutory Consultees

Sport England

7.2. No comments on the proposed variations to condition 2 of planning consent 17/01144/FUL. Confirmed that Sport England have met with the applicant regarding condition 14 and are satisfied that due to the current levels of usage of the playing pitch, a community use agreement would not be appropriate as this would lead to the overplay of the pitch. Therefore Sport England have no

objections with the proposed removal of condition 14 of planning consent 17/01144/FUL.

7.3. The following consultees responded with no comment:

- Archaeology Officer
- Historic England

7.4. The following consultees raised no objections:

- Oxfordshire County Council Highways
- Biodiversity Officer

Public representations

7.5. No public representations have been received.

8. PLANNING MATERIAL CONSIDERATIONS

8.1. Officers consider the determining issues to be:

- Design and Impact on Character of the Surrounding Area;
- Impact on Neighbouring Amenity;
- Access/ Cycle Parking Provision;
- Community Access to Sports Facilities.

i. Design and Impact on Character of Surrounding Area

8.2. 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.

8.3. The proposed changes to fenestration including the introduction, and removal of, windows and doors would not significantly alter the overall appearance of the development. The proposals would incorporate fenestration details to which either match the approved designs or would be sympathetic to the aesthetic of the temporary building.

8.4. The proposed extension to the approved plant enclosure is not considered to be unduly harmful to the appearance of the west elevation of the building. Likewise, the increased height of the plant enclosure would represent an increase of 0.6 metres which is not considered to create a significant or detrimental impact.

ii. Impact on Neighbouring Amenity

- 8.5. 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.
- 8.6. 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 proposed changes to fenestration will not result in any increased overlooking impacts for neighbouring occupiers.
- 8.7. The applicant has confirmed that the proposed increase in plant enclosure will not increase the amount of plant machinery on site; rather it would facilitate the installation and maintenance of the approved plant. As such, there would not be an increase in noise impacts from those assessed by Officers under the original consent.

iii. Access/ Cycle Parking Provision

- 8.8. The application proposes amendments to move the fire tender access closer to the building which has finalised the proposed extent of the hardstanding. This has also altered the positioning of the cycle parking positioning.
- 8.9. The amount of cycle parking has not altered from that which was approved and the proposed amendments to fire tender access will improve access to the building for emergency vehicles. Therefore Officers consider these changes to be acceptable.
- 8.10. The proposed amendments to hardstanding would partially take place outside of the red line area as set out in the original consent, however all works would take place within the blue line area i.e. within land which is within the ownership of the applicant.

iv. Community Access to Sports Facilities

- 8.11. Sport England have confirmed that following discussions with the applicant they have established that due to the current levels of usage of the playing pitch, a community use agreement (as required under condition 14 of application 17/01144/FUL) would not be appropriate as this would lead to the overplay of the pitch.
- 8.12. Officers are therefore satisfied that the removal of condition 14 of planning consent 17/01144/FUL would not be detrimental in terms of reducing community access to sports facilities.

9. CONCLUSION

- 9.1. The proposed changes to the approved plans would not result in significant

detrimental impacts on the design of the approved buildings, the character of the surrounding area or the amenity of neighbouring occupiers. Therefore Officers recommend approval of the proposed variations to condition 2 of planning consent 17/01144/FUL.

- 9.2. Officers consider that the removal of condition 14 of planning consent 17/01144/FUL would not be detrimental in terms of reducing community access to sports facilities due to the existing high usage of the sports pitch.
- 9.3. It is recommended that the Committee resolve to grant planning permission for the variations proposed subject to the conditions outlined in section 10 of this report.

10. CONDITIONS

1. Temporary Consent

This permission shall be for a limited period of 4 years 10 months only, starting from the 8th August 2017. 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 by a specialist turf consultant 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:

- Location Plan (ref: P-A-12000 rev. 00);
- Proposed Block Plan (ref: P-A-12110 rev. 00);
- Proposed Site Plan - Fire Tender Access (ref: DR-A-00009-S2-P3);
- Proposed Ground Floor Plan (ref: DR-A-20002-S2-P10);
- Proposed Roof Plan (ref: DR-A-00002-S2-P2);
- Site Elevations - South (ref: P-A-30000 rev. 00);
- Site Elevations - East (ref: P-A-30100 rev. 00);
- Proposed Elevations - South/ West (ref: DR-A-00007-S2-P3);

- Proposed Elevations - North/ East (ref: DR-A-00006-S2-P3);
- Football Pitch Extent - During Construction (ref: E-A-12113);
- Football Pitch Extent - After Construction (ref: E-A-12114);
- Design and Access Statement (dated May 2017);
- Archaeological Written Scheme of Investigation (Oxford Archaeology 2017 OA, ref: 6760);
- Tree Protection Plan (reference: P-A-12110 rev. 00 [annotated] (received 7th July 2017);
- Below Ground Plan of Tree Protection Measures (ref: 11562-WMS-ZZ-00-DR-A- 90005-S2-P1);
- Above Ground Plan of Tree Protection Measures (ref: 11562-WMS-ZZ-00-DR-A- 90006-S2-P1);
- Drainage Strategy and Water Quality Management Report (dated: June 2017);
- Micro-drainage Calculation (dated: 23rd June 2017); o Drainage Maintenance Strategy (dated: June 2017);
- Sustainable Urban Drainage (AKS Ward Letter, dated 23/06/17 ref: X172011);
- Drainage Layout (ref: NATTA -C5815-D-101-DRA); o Pad Foundation Details (ref: NATTA- C5815-D-100-MFD);
- Tree Quality Assessment Table (received 7th July 2017);
- Construction Traffic Management Plan (version 4, dated 23rd June 2017).

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.Toughened Glass

The building shall not be occupied unless glass used in the windows in the new modular buildings which face on the playing field, should be at least 15mm toughened glass for the outer pane and laminated glass for the inner pane or an alternative method of protection that has been agreed with the Local Planning Authority in writing before the building is occupied.

Reason: To allow continuous use of the playing field whilst protecting the occupants of the extensions from possible glass damage caused by sports projectiles in use on the playing field.

5.Archaeology

The development shall take place in accordance with the archaeological written scheme of investigation submitted by the applicant (Oxford Archaeology 2017 OA Reference No: 6760). All works shall be carried out and completed in accordance with the approved written scheme of investigation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development will not have a damaging effect on known or suspected elements of the historic environment of the people of Oxford and their visitors, including prehistoric, Roman, late Saxon and post-medieval remains (Local Plan Policy HE2).

6.Football Pitch

The development hereby permitted shall not be brought into use until the football pitch shown on approved drawing no. E-A-12114 has been cleared and laid out so that it is available for use as a playing field.

Reason: To secure the continued use of playing field before the occupation of the building and to accord with Local Plan Policy SR2.

7.Lighting Scheme

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.

8.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.

9.Landscape – Underground Services (Tree Roots)

All underground services and soakaways shall be implemented and maintained

in accordance with the details shown on approved plans E-A-12115 rev. 00; E-A-12116 rev. 00 and; E-A- 12117 rev.00. There shall be no variation of these details without the prior written consent of the Local Planning Authority.

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

10. Landscape – Tree Protection Plan (Tree Roots)

Detailed measures for the protection of trees to be retained during the development shall be implemented in accordance with the details shown on approved plans P-A-12110 rev. 00 [annotated] (received 7th July 2017) and; Tree Quality Assessment Table (received 7th July 2017). There shall be no variation of these details without the prior written consent of the Local Planning Authority (LPA). 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 Construction Exclusion Zones (CEZ) around retained trees 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.

11. Drainage Strategy

The Drainage Strategy, including details of Sustainable Drainage (SUDs), as shown on drawing no. 92002 P03 (contained within the 'Maintenance Plan' report) should be implemented prior to occupation of the development. Any changes to the strategy should be submitted for approval to the Planning Authority.

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

12. 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.

13. Construction Traffic Management Plan

The approved Construction Traffic Management Plan (version 4, dated 23rd June 2017) shall be implemented. The development shall be undertaken strictly

in accordance with the Construction Traffic Management Plan as approved at all times. Any changes to the traffic management of the site shall be submitted for approval to the Planning Authority.

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.

14. Cycle Parking

Prior to use or occupation of the new development covered and secure cycle shall be provided on-site as shown on drawing no. DR-A-00009-S2-P3. The cycle provision shall be retained for this purpose and shall not be adapted for any other purpose without written permission from the Planning Authority.

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

15. 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. 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.
2. 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.

3. 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.
4. 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>).

11. APPENDICES

Appendix 1 – Site Location Plan

12. HUMAN RIGHTS ACT 1998

- 12.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve 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.

13. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

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

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