

EAST AREA PLANNING COMMITTEE

3rd March 2021

Application number: 20/02983/FUL

Decision due by 6th April 2021

Extension of time N/A

Proposal Demolition of existing Barnes Unit and link corridor and relocation of tissue building; erection of new Adult Intensive Care Unit over 5 floors to connect to the existing Trauma Building across 4 floors; new replacement link corridor within the AICU building connecting the Trauma Building with the main hospital entrance; ancillary works; and erection of new substation in Car Park 1 at the John Radcliffe Hospital, Oxford (part retrospective).

Site address John Radcliffe Hospital, Headley Way, Oxford, Oxfordshire – see **Appendix 1** for site plan

Ward Headington Ward

Case officer Sarah Orchard

Agent: Miss Katherine Jones **Applicant:** Oxford University Hospital NHS Foundation Trust

Reason at Committee The application constitutes major development

1. RECOMMENDATION

1.1. East Area Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report, subject to the receipt of a satisfactory drainage report and construction environment management and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Head of Planning Services to:

- review the final drainage strategy and construction environment management plan and finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

- 2.1. This report considers an application for the demolition of the existing Barnes Unit and link corridor and erection of a new Adult Intensive Care Unit over 5 floors to connect to the existing Trauma Building across 4 floors with new replacement link corridor within the AICU building connecting the Trauma Building with the main hospital entrance. The application also proposes ancillary works including the erection of a new substation in Car Park 1.
- 2.2. The report considers the principle of the development, the impact of the development on the character and appearance of the site and the surrounding area, sustainability, flood risk and drainage, air quality, neighbouring amenity, land quality, biodiversity, trees and landscaping, utilities and highway impacts and parking. The report concludes that the proposal is adequately justified, provides needed healthcare facilities and forms an acceptable form of development and the application is therefore recommended for approval subject to conditions.

3. LEGAL AGREEMENT

- 3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal is liable for a CIL contribution of £733,374.90.

5. SITE AND SURROUNDINGS

- 5.1. The site is located within the John Radcliffe Hospital site (JR) which is located in the Headington area of Oxford to the north east of the city centre. The hospital site sits in an elevated position and due to the scale of existing buildings on the site is visible in local and long range views from inside and outside of the city. The application site sits centrally within the site to the north west of the main hospital building (7 storeys). To the south west lies the Oxford Heart Centre (3-4 storeys), to north-west is part single storey, part two storey OMRI buildings with the West Wing and Childrens' Hospital beyond (5 storeys) and north and north east is Car Park 1 and the Trauma Building (3 storeys plus rooftop plant rooms). The site was last occupied by the Barnes Unit, a single storey Portakabin style structure and a link corridor to the Trauma Building.

- 5.2. See site location plan below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application proposes the demolition of the existing single storey Barnes Unit and link corridor and erection of a new Adult Intensive Care Unit over 5 floors to connect to the existing Trauma Building across 4 floors with a new replacement link corridor within the AICU building connecting the Trauma Building with the main hospital entrance. The application also proposes ancillary works including the erection of a new substation in Car Park 1.
- 6.2. The Buckinghamshire, Oxfordshire and Berkshire West Integrated Care System (ICS) urgently requires increased critical care capacity to cover the South East region. Coupled with this demand, Oxford University Hospitals (OUH) has experienced a surge in hospital admissions in 2020 due to the Covid-19 pandemic, which has resulted in an overflow of patients from Critical Care Units to other hospital accommodation such as general wards and theatres, which in turn has impacted on ongoing elective activity. An urgent requirement for an increase in capacity was identified in Spring 2020 in anticipation of further waves of Covid-19 and to meet the identified demand. Given the ongoing nature of the pandemic, the increase in critical care capacity is needed urgently and needs to be constructed rapidly.
- 6.3. Levels 1-3 would be occupied by the intensive care unit (ICU) and also staff support accommodation on level 1, level 4 would consist of a plantroom with staff facilities and level 5 would consist of a well-being hub and external chiller plant to the rear.

- 6.4. The bulk of the main building proposed would be approximately 21 metres in height with some additional rooftop plant. The main building would have a footprint of 1325m², the main bulk of the building being approximately 30 by 37 metres with additional link corridors to the main hospital buildings and the Trauma Centre. The building is proposed to be clad in a dark grey steel cladding at ground floor and a light toffee colour rain screen cladding at upper floors.
- 6.5. The proposed substation would sit in the northern side of Car Park 1 adjacent to the northern access road which circles the JR site. This is to the north of the proposed building. The main substation would sit in a building of 17.36 by 8.12 metres with a height of 3.5 metres. The plant area would also include a containerised generator (12.3 by 3.6 metres) and a fuel store (3.2 by 6 metres).

7. RELEVANT PLANNING HISTORY

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

67/18982/A_H - Proposed new hospital - first phase. PERMIT 4th June 1967.

69/18982/A_H - New hospital - Phase 2A. PERMIT 9th September 1969.

99/01936/NO - Outline application, to include siting and means of access, for the erection of new hospital buildings comprising 39,000 sq m of floorspace together with associated provision and re-organisation of car parks to create 200 additional "patient and visitor" car parking spaces. Improvements to pedestrian, cycle and public transport, to include a new gated access from Saxon Way to permit bus, emergency vehicle, cycle and pedestrian access only and an internal gated access road to permit bus and emergency vehicle access only from the Osler Road entrance to and from the main hospital site. (Amended description). PER 12th April 2002.

01/00842/NF - Outline application (seeking siting and means of access) for new Trauma Centre consisting of 4,500 sq. m. of accommodation on 3 and 4 floors plus ground level link to existing building. WITHDRAWN 1st August 2002.

01/01105/NF - Erection of 3 & 4 storey Trauma Centre Building providing 3,300sq.m floorspace & plant room at 4th floor level. Enclosed single storey ground floor link to the cardiac centre building. PERMIT 2nd June 2003.

01/02101/FUL - Two storey extension with plant at roof level to provide office, laboratory and workshop to Functional Magnetic Resonance Imaging of the Brain Unit at FMRIB Centre, University of Oxford. PERMIT 19th June 2003.

02/01058/OUT - Outline planning application (to include siting, means of access and design, for a 4 storey (5400 sq m) building with plant room on fifth floor, to accommodate expansion of cardiac services department. PERMIT 17th August 2004.

03/00453/FUL - Erection of linked children's hospital and relocated head and neck services, on 5 and 6 levels (with plant rooms on roof) totalling 48,000sq m.

Provision of 200 new patient and visitors car parking spaces and reorganisation of staff car parking spaces onto "Camels Head" area with associated landscaping. Improvements to on-site pedestrian cycle and public transport facilities to include new gated access from Saxon Way to permit bus, emergency vehicles, service vehicles, cycle and pedestrian access only. Relocation of existing helicopter landing pad. (BASE PROPOSAL). WITHDRAWN 7th July 2003.

03/00454/FUL - Erection of linked children's hospital and relocated head and neck services with laboratory space above, on 7 and 8 levels (with plant rooms on roof) totalling 52,208 sq m. Provision of additional 200 new patient and visitors car parking spaces and reorganisation of staff car parking spaces onto "Camels Head" area with associated landscaping. Improvements to on-site pedestrian cycle and public transport facilities to include new gated access from Saxon Way to permit bus, emergency vehicles, service vehicles, cycle and pedestrian access only. Relocation of existing helicopter landing pad. (VARIANT PROPOSAL) (Head and Neck Hospital, John Radcliffe Hospital, Headley Way). PERMIT 3rd July 2003.

06/00411/RES - CARDIAC UNIT: Erection of 4 storey building (5400 sq.m.) plus plant room as extension to cardiac services department (Reserved Matters of outline permission 02/01058/OUT seeking approval of external appearance and landscaping). PERMIT 28th April 2006.

06/00414/FUL - Cardiac Unit: Extension at roof level to provide 2 seminar rooms, reception area and link from main hospital block to cardiac services department. PERMIT 24th April 2006.

07/02774/FUL - Erection of two-storey extension to existing OCMR building to house waste material. PERMIT 1st February 2008.

08/00551/FUL - Erection of single storey extension to Oxford Magnetic Resonance Imaging Centre. PERMIT 7th May 2008.

13/03369/FUL - Erection of an additional storey at Oxford Centre for Magnetic Resonance Research (OCMR) Unit to create new office space, a seminar room, refreshment area, WCs and shower facilities. Refurbishment of the existing entrance area on the ground floor to form a larger waiting and reception area, new changing facilities, new accessible WC and refurbishment of existing WCs. Formation of rooftop plant and installation of solar panels. PERMIT 14th February 2014.

17/02010/FUL - Erection of a Neuroscience research building. PER 22nd December 2017.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Other planning documents	Neighbourhood Plans:
Design	117-123, 124-132	RE2 - Efficient use of Land DH1 - High quality design and placemaking DH2 - Views and building heights DH7 - External servicing features and stores		GSP3- Conserving and enhancing biodiversity GSP4 - Protection of the setting of the site CIP1 - Development respect existing local character
Conservation/ Heritage	184-202	DH3 - Designated heritage assets		CIP4 - Protecting important assets
Commercial	80-82	E1 - Employment sites - intensify of uses		
Natural environment		G1 - Protection of Green/Blue Infrastructure G2 - Protection of biodiversity geo-diversity G7 - Protection of existing Green Infrastructure G8 - New and enhanced Green and Blue Infrastructure		
Social and community		V7 - Infrastructure, cultural and community		AMP1 - Protect/enhance sport/leisure/community
Transport	102-111	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking M4 - Provision of electric charging points M5 - Bicycle	Parking Standards SPD	TRP1 - Parking at major employment sites TRP3 - Travel plans TRP5 - Promotion of cycling

		Parking		
Environmental	148-165, 170-183	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE6 - Air Quality RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality	Energy Statement TAN	
Miscellaneous	7-12	S1 - Sustainable development V8 - Utilities SP41 - John Radcliffe Hospital Site		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 15th January 2021 and an advertisement was published in The Oxford Times newspaper on 14th January 2021.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. No objection subject to conditions.

Oxfordshire County Council (Drainage)

9.3. Infiltration should be used instead of draining to the sewer.

Thames Valley Police

9.4. A security and access strategy is required due to the sensitive nature of the building which is required to provide detail of access control and CCTV throughout the building.

Historic England

9.5. No comments received.

Natural England

9.6. No comment.

Thames Water Utilities Limited

9.7. No objection. Adequate capacity for foul water to be discharged into the sewerage network. Surface water is not proposed to be discharged into the public network. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes.

Headington Action

9.8. No comments received.

Headington Heritage

9.9. Concerns with the proposed drainage strategy. This should rely on natural infiltration and not direct rain water to a sewer.

Barton Community Association

9.10. No comments received.

Central North Headington Residents Association

9.11. No comments received.

Public representations

9.12. 1no. third party comment received (address in St John Street)

- Permission has already been given by the council without public consultation.
- Building is unlikely to be finished on time to receive funding and therefore the application should not be rushed through.
- There will be inadequate staff to cover the ICU beds.
- Unclear why the two top storeys of the building are required.
- No visuals of long range views have been provided.
- Loss of parking.

Officer response

9.13. Pre-application advice is given prior to the application being made but is not given as a guarantee of permission being granted.

- 9.14. It cannot be assumed that the building will not be finished on time and all efforts need to be made to assist the NHS in receiving the funding for new hospital facilities. It also cannot be assumed that the NHS will not be able to recruit staff if additional staff are required.
- 9.15. The height and scale of the building is addressed in the report below and considered further justification for the two top storeys is not required. It is positive that the plant has been incorporated into the building and not been added on externally as an 'after thought'.
- 9.16. Whilst long range views have not been provided, officers have assessed the height of the building in the report below and consider that adequate information has been provided to assess the visual impact of the proposal.
- 9.17. The loss of parking on the JR site is supported by policy S4P1 of the Oxford Local Plan 2036 and TRP1 of the Headington Neighbourhood Plan in order to encourage more sustainable modes of transport to and from the site. A condition would ensure that there would be no net loss of disabled parking spaces.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Neighbouring amenity/noise
- Sustainability
- Flood risk/drainage
- Air quality
- Land quality
- Trees/landscaping
- Biodiversity
- Archaeology
- Highways/parking

a. Principle of development

10.2. The John Radcliffe Hospital site is an allocated development site under policy SP41 of the Oxford Local Plan 2036. This states that further hospital related uses will be supported on the site to provide improved facilities subject to bus routes through the site not being compromised and a drainage strategy being agreed. The policy also encourages a reduction in car parking spaces to ensure people use more sustainable modes of transport. This is echoed by policy TRP1 of the Headington Neighbourhood Plan. The proposal would relate to the hospital use of the site to urgently respond to the covid-19 pandemic (and any future pandemics) and result in a reduction of car parking spaces.

- 10.3. The John Radcliffe Hospital Site is also a category 1 employment site under policy E1 of the Oxford Local Plan. Whilst the proposal would result in the loss of the Barnes Unit, the existing building would be replaced with a much larger building and is therefore not considered to result in a loss of employment or employment floorspace.
- 10.4. Policy RE2 also encourages more efficient use of land and policy V7 also allows for new healthcare facilities where they are in a sustainable location, the proposal meets an existing deficiency and there would not be any unacceptable environmental impacts. Furthermore the NPPF also encourages making a more efficient use of land and paragraph 92 requires that decisions ensure that community facilities are able to develop and modernise. Since the proposal removes an existing single storey building and would replace this with a five storey building which would provide a modern community/healthcare facility, the development is considered to comply with these policies.
- 10.5. The proposal is therefore considered acceptable in principle subject to the material considerations which are set out below.

b. Design

- 10.6. The main building proposed as part of the development is a relatively tall, five storey building which is designed as an extension to the Adult Intensive Care Unit (AICU). The proposal results in the removal of an existing low quality, temporary style, single storey unit.
- 10.7. The supporting Design and Access Statement (DAS) clearly sets out a strong, clear and convincing justification for the building, for its design including the building massing and height. The DAS explains clearly the arrangement of spaces, wards and care spaces as well as all the ancillary support spaces that are needed for an ICU department.
- 10.8. The location of the application site between existing buildings, appears to have dictated the building's footprint. However within the available footprint the design appears to make the best and most efficient use of space and the number of storeys required is dictated by the number of ICU beds and ancillary accommodation required.
- 10.9. The JR site sits in an elevated position and due to the scale of buildings on the site, is visible from many areas of the city and also from outside of the city. The proposed addition, whilst relatively tall, sits comfortably within the application site. In views from the north and north-west the building will either sit against the back drop of the main JR buildings which are taller at 7 storeys high or would be partially or largely obscured by the existing West Wing and Children's Hospital Building. To the north-east and east of the JR site is the Old Headington Conservation Area. Any views where the building could be visible are limited, glimpsed views and would be seen in the context of other JR hospital buildings and largely obscured by the 3-4 storey Trauma Centre which sits to the north-east of the proposal. The proposal is therefore not considered to impact the setting of the Conservation Area. Paragraph 196 of the NPPF requires any less than substantial harm to be justified with public benefits where a heritage asset is

impacted, however since no impact or harm is identified, no further justification is required although the public benefits of the scheme would be substantial. The proposed building would be five storeys high, two storeys lower than the main JR buildings and would therefore not be visible from views from the east or south. Due to the height of the proposal, greater than the Oxford Heart Centre (which is 3-4 storeys), from longer range views from the south-west the proposal would be visible above the height of other JR buildings but would be seen within the context of the taller and larger main JR hospital buildings. The proposal is therefore not considered to significantly increase the prominence of the JR site in local and longer range views and would sit comfortably within the context of the application site.

10.10. The materials have been chosen to match the newly constructed Wolfson Building (17/02010/FUL) to the north of the application site. It is understood that the Trauma Building directly to the north of the building is also to be re-clad in the same material. Whilst there is a variety of cladding and materials used across the John Radcliffe site, the proposed external materials will help it integrate with some other existing smaller scale buildings in the surrounding context.

10.11. The proposal also includes small ancillary structures which comprise the electrical substation to meet energy needs. These would be comparatively small at no more than 3.5 metres high. They would be located adjacent to the northern service road and would therefore be very visible from within the site, but would not appear as a dominant feature from outside of the site. Whilst this would not be an overly attractive feature, it is necessary to support the development and would be easily accessible for servicing from the service road.

10.12. Thames Valley Police (TVP) raised queries about the security and entry strategies to the building given the sensitive nature of the proposed use. The design of the building has been designed with input from the University Hospital Trust's Security Manager. Access control through the building and into key areas would be by authorised card only, and CCTV would be incorporated to cover the main circulation routes and vulnerable areas. TVP are satisfied that the due consideration has been given to Secured By Design principles and have raised no objection to the proposal.

10.13. Subject to conditions, the proposal is considered to comply with policies DH1 and DH7 of the Oxford Local Plan 2036 and CIP1 and GSP4 of the Headington Neighbourhood Plan.

c. Neighbouring amenity/noise

Privacy/Daylight and Sunlight

10.14. The proposed main building is located centrally within the John Radcliffe Site and away from the boundaries with nearest neighbouring residential properties in Sandfield Road to the south-west (around 160 metres) and Ethelred Court (about 125 metres) to the north-east. The proposed development would sit against the backdrop of existing hospital buildings and therefore not appear as an overbearing or dominant feature. The distance from neighbouring properties

also ensures that there would not be an impact of light, privacy or outlook in accordance with policy RE7 of the Oxford Local Plan 2036.

Noise

- 10.15. Officers have reviewed the submitted documentation including the acoustic assessment carried out by 'Acoustic & Engineering Consultants Limited ref: P4246/R1a/NRS, dated 03 November 2020.
- 10.16. The proposals are to construct a new five storey Covid-19 recovery and AICU with a plant room on level four and external chiller plant on level five. In addition, the proposal also includes installation of a new substation, with back-up generator, to the north-west of the Trauma Centre.
- 10.17. The nearest noise sensitive receptors to the proposed site are residences on Ethelred Court and Sandfield Road, to the north-east and south-west of the site.
- 10.18. In terms of acoustics for healthcare buildings, and the suitability of the site, appropriate design advice is included in the Department of Health's Special Services 'Health Technical Memorandum 08-01: Acoustics' (HTM 08-01). To comply with HTM 08-01, appropriate noise limits have been suggested within the acoustic submission.
- 10.19. It is planned that the mechanical services plant serving the proposed development could be operational 24 hours a day, seven days a week. The building services plant would be located in a plant room on level four and also externally on level five.
- 10.20. At this stage no plant or equipment type/model has been specified for the development of the different internal and external plant items to be installed. Therefore, based on the measured night-time background noise level of 37dBLA90, 15mins external to the closest receptor on Ethelred Court, the free-field total rating level from all building services plant should be controlled to no greater than 32dBLAr, Tr external to these residences to comply with the proposed noise limit.
- 10.21. Noise from the building services plant will also need to be controlled to meet appropriate noise levels inside adjacent hospital buildings and inside the noise sensitive areas of the proposed development itself. This would require further consideration as the design develops.
- 10.22. Based on the location of the proposed building services plant, it will be necessary to control structure-borne noise by effectively isolating plant from the supporting structure where required.
- 10.23. On the basis of the initial assessment, noise is not expected to pose an obstacle in the granting of planning permission for the scheme. The report specifies solid acoustic design that would achieve the criteria as set out in policy RE8 and therefore acceptable in environmental health terms subject to conditions requiring that any plant is kept to 10dBA below the existing background noise level or 15dBA where it is tonal, vibration shall not be transmitted to adjoining or other premises or structures through the building

fabric, noise emitted from the emergency plant and generators shall not increase the minimum assessment background noise level by more than 10dB one metre outside the premises and that the emergency generators shall only be used for essential testing or in the case of an emergency loss of power.

10.24. A construction environment management plan has also been submitted to ensure that dust, noise, vibration, lighting, delivery locations and hours of construction have been given due regard to safeguard the amenity of neighbours during construction. Since work has already commenced on site this is currently being reviewed by officers and once it is found acceptable, any permission would be conditioned to ensure work is carried out in accordance with the approved plan.

10.25. The proposal is therefore considered to comply with policies RE7 and RE8 of the Oxford Local Plan 2036.

d. Sustainability

10.26. Policy RE1 of the Oxford Local Plan 2036 requires new buildings to comply with energy efficiency targets and comply with sustainable construction requirements.

10.27. The proposed development is an extension of the existing AICU department and utilises the existing building services system from the base building and is therefore not required to comply with the 40% target of reducing carbon emissions from 2013 Building Regulations compliant base case. The heat from the building would also be supplied by the existing heat network which exists on the JR site. The building is however designed to comply with Part L2B of Building Regulations, beyond the basic requirement L2A.

10.28. In relation to water efficiency a condition is recommended that the development is required to be a standard of four credits under a BRE AAM assessment.

10.29. A site waste management plan has been submitted which sets out how waste will be minimised, firstly through ensuring that waste is kept to minimum and not generated and when waste is produced it would be re-used or recycled wherever possible and landfill is the final option. Monthly talks are to be held with contractors to advise them of these requirements of the site waste management plan.

10.30. The proposal is therefore considered acceptable in relation to policy RE1 of the Oxford Local Plan 2036.

e. Flood risk/drainage

10.31. The application site falls within Environment Agency Flood Zone 1 and is therefore not at a high risk of flooding. The proposal is therefore acceptable in relation to policy RE3 of the Oxford Local Plan 2036.

10.32. Policy RE4 of the Oxford Local Plan 2036 requires development to give consideration to drainage and incorporate a sustainable drainage scheme into the development to ensure that flood risk is not increased or reduced elsewhere.

10.33. Officers are currently reviewing a revised drainage strategy. This proposes the use of a tank which would drain to a private sewer as a sustainable rate. The preferred option would be for the use of natural infiltration rather than discharging to a sewer. Further justification for discharging to a sewer has been submitted in the drainage strategy currently being reviewed. Once officers agree an acceptable strategy and maintenance plan, any permission granted would be subject to a condition that the drainage strategy is implemented and maintained in accordance with approved details.

f. Air quality

10.34. The application has been accompanied by an air quality assessment to address policy RE6 of the Oxford Local Plan 2036. This assesses the potential for future users/residents of the proposed development to be exposed to poor air quality. The results indicate that concentrations at proposed receptor locations within the site boundary are well below relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5} concentrations.

10.35. The energy requirements of the new building will be supplied by the current building and which originate from a heat network that already exists across the JR site. The only on-site emitting energy generation system is in the form of a back-up generator which is planned to be run approximately 3 times a month for an hour. The conclusions of the air quality assessment show that any potential air quality impact to the surrounding area of this system (when in use) will be negligible.

10.36. The Transport Statement advises that no additional car parking will be installed on-site. In fact, existing parking provision at the application site will be reduced by 15 spaces to enable provision of a new substation in 'Car Park 1' to support the development proposals.

10.37. Given the nature of the facility and its purpose in supporting pandemics, it is expected that any increased demand created as a result of the ICU expansion, would be more than counteracted by reduced traffic at the John Radcliffe Hospital during such times.

10.38. According to the Air Quality Assessment, the impacts of the construction work on dust and ambient PM₁₀ concentrations have been assessed and the sensitivity of the area was defined as "high" and the development of "Medium risk" for dust impacts, due to the proximity of a high number of sensitive human receptors within the hospital. The dust assessment identifies a list of site specific mitigation measures. Provided these are implemented and included within a dust management plan, contained within a construction environment management plan (CEMP), the residual impacts of dust during construction phase are considered to be not significant.

10.39. During the course of the application a construction environment management plan was submitted which includes dust mitigation measures during construction to ensure this matter is adequately addressed. This is currently being reviewed by officer and subject to its acceptability, the development is considered acceptable in relation to policy RE6 of the Oxford Local Plan 2036.

g. Land quality

10.40. The application has been accompanied by a Geo-environmental Investigation and Risk Assessment report (by Murray Rix – September 2020) and officers consider that it provides sufficient evidence that the site does not present an unacceptable potential contamination risk to future occupiers or the surrounding environment. A ‘watching brief’ condition is also recommended in case any unforeseen contamination is encountered during site works. If this is found, it shall be reported to the Local Authority. Since works are already underway, the developer has already been informed of this requirement. Subject to this condition, the development is considered to comply with the requirements of policy RE9 of the Oxford Local Plan 2036.

h. Trees/landscaping

10.41. The scheme involves the removal of two low quality trees and two moderate quality trees; whilst this is regrettable, the trees have limited wider landscape value and their loss can be mitigated by replacement landscape planting; the design and access statement indicates only amenity turf for soft landscaping. Officers consider that there is scope for some appropriate replacement tree planting.

10.42. Several trees are to be retained and a tree protection plan as indicated in the application tree report details can be secured under a planning condition. Subject to a condition also requiring the submission and implementation of an appropriate landscaping plan, the proposal is considered to comply with policies G1, G7 and G8 of the Oxford Local Plan 2036.

i. Biodiversity

10.43. Officers have reviewed the Preliminary Roost Assessment and Ecological Walkover Report produced by E3P (October 2020). The Local Planning Authority in exercising any of their functions, has a legal duty to have regard to the requirements of the Conservation of Habitats and Species Regulations 2017, which identifies 4 main offences for development affecting European Protected Species (EPS):

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of an EPS including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or

b) to affect significantly the local distribution or abundance of the species to which they belong.

4. Damage or destruction of an EPS breeding site or resting place.

10.44. Officers are satisfied that European Protected Species are unlikely to be harmed as a result of the proposals as all structures and trees to be removed were assessed as having negligible bat roosting potential and no potential roosting features were present.

10.45. A scheme of ecological enhancements has also been submitted which includes bat and bird boxes and a landscape plan is also requested by condition to provide replacement trees and wildlife friendly plants. Subject to this condition the proposal is considered to comply with policy G2 of the Oxford Local Plan 2036.

j. Archaeology

10.46. Officers have consulted the Historic Environment Record and conclude that on present evidence, the scheme would be unlikely to have significant archaeological implications and no further information or investigations are required. The proposal is therefore acceptable in relation to policy DH4 of the Oxford Local Plan 2036.

k. Highways/parking

10.47. The Local Highway Authority (Oxfordshire County Council) have raised no objection to the proposal. The new building will increase capacity from 16 to 48 beds which is intended to provide reserve capacity for specific events and whilst the building has the capacity for up to 70 staff, during those times staff are likely to be redeployed from elsewhere within the hospital rather than an overall increase in number.

10.48. The number of visitors to the site is likely to increase very slightly and the numbers would not be material in the context of the wider site and the accessible location.

10.49. A substation is required to serve the new building which is proposed to be located in Car Park 1. It is proposed to reconfigure the car park so that the total reduction in parking spaces is 15 however this means a roughly 50% reduction in the number of disabled bays which is likely to adversely impact on protected groups. The car park should retain the existing number of disabled/accessible parking bays, details of which would be secured by condition which officers are satisfied can be achieved. A condition is also required ensuring that the development is carried out in accordance with the submitted construction traffic management plan.

10.50. Policy M5 of the Oxford Local Plan 2036 sets out minimum cycle parking standards for new developments. For hospital development this equates to 1 space per 5 members of staff. This equates to a requirement of 14 spaces required. Details of cycle storage spaces are therefore requested by condition and shall be provided prior to the occupation of the building.

10.51. Subject to these conditions the proposal is considered to comply with policies M1, M2, M3, M4 and M5 of the Oxford Local Plan 2036.

11. CONCLUSION

11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver Sustainable Development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.

11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

11.4. Officers would advise members that having considered the application carefully, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036 and the Headington Neighbourhood Plan, when considered as a whole, and that there are no material considerations that would outweigh these policies. On the basis of the above, Officers recommend that the East Area Planning Committee grant planning permission for the proposed development for the reasons set out at the beginning of this report subject to the receipt of a satisfactory drainage strategy and construction environment management plan and the conditions set out below.

12. CONDITIONS

1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2 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 DH1 of the Oxford Local Plan 2036.

- 3 Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority prior to their installation on site and only the approved materials shall be used.

Reason: In the interests of visual amenity in accordance with policies DH1 of the Oxford Local Plan 2036 and CIP1 and GSP4 of the Headington Neighbourhood Plan.

- 4 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment, in accordance with policy RE8 of the Oxford Local Plan 2036.

- 5 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises are not adversely affected by vibration in accordance with policy RE8 of the Oxford Local Plan 2036.

- 6 Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises are not adversely affected by vibration in accordance with policy RE8 of the Oxford Local Plan 2036.

- 7 The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power. Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00hrs Monday to Friday and not at all on public holidays.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises are not adversely affected by vibration in accordance with policy RE8 of the Oxford Local Plan 2036.

- 8 The development shall only be carried out in accordance with the approved Construction Environment Management Plan (CEMP) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with policies RE6, RE7 and RE8 of the Oxford Local Plan 2036.

- 9 The development shall only be carried out in accordance with the approved energy efficiency measures set out in the Part L Design Note by DSSR Consulting Engineers and any energy efficiency measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of energy efficiency in accordance with policy RE1 of the Oxford Local Plan 2036.

- 10 The development shall only be carried out in accordance with the approved SuDs strategy and the approved drainage system shall remain in place thereafter and maintained in accordance with the approved maintenance plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of flood mitigation and sustainable drainage in accordance with policies RE3 and RE4 of the Oxford Local Plan 2036.

- 11 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 RE9 of the Oxford Local Plan 2036.

- 12 The development shall be carried out in strict accordance with the tree protection measures contained within the planning application details shown on the Tree Impact & Protection Plan (21.10.2020) unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G1, G7 and DH1 of the Oxford Local Plan 2036.

- 13 A landscape plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation or first use of the development hereby approved. The plan shall show details of treatment of paved areas, and areas to be grassed or finished in a similar manner, existing retained trees and proposed new tree, shrub and hedge planting. The plan shall correspond to a schedule detailing plant numbers, sizes and nursery stock types. The landscaping proposals as approved by the Local Planning Authority shall be carried out no later than the first planting season after first occupation or first use of the development hereby approved unless otherwise agreed in writing beforehand by the Local Planning Authority. Any new tree that dies, is removed or becomes severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with policies G7, G8 and DH1 of the Oxford Local Plan 2036.

- 14 Prior to the occupation of the development, the bat and bird boxes on the Protected Species Ecological Enhancement Plan '80-412 001' must be provided on site and retained thereafter.

Reason: To comply with the requirements of the National Planning Policy Framework and policy G2 of the Oxford Local Plan 2036.

- 15 The demolition and construction of the development hereby approved shall be undertaken in accordance with the submitted Construction Traffic Management Plan and drawing numbers JRH-LOG-10 Rev10, JRH-LOG-02 Rev 2 and JRH-LOG-03 Rev 2 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with the NPPF.

- 16 Within 3 months of the completion of the development, a plan show a revised layout of Car Park 1 so as to provide for a minimum of 15 disabled/accessible parking bays shall be submitted to and approved in writing by the Local Planning Authority, the spaces shall be provided on site in accordance with the approved layout and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

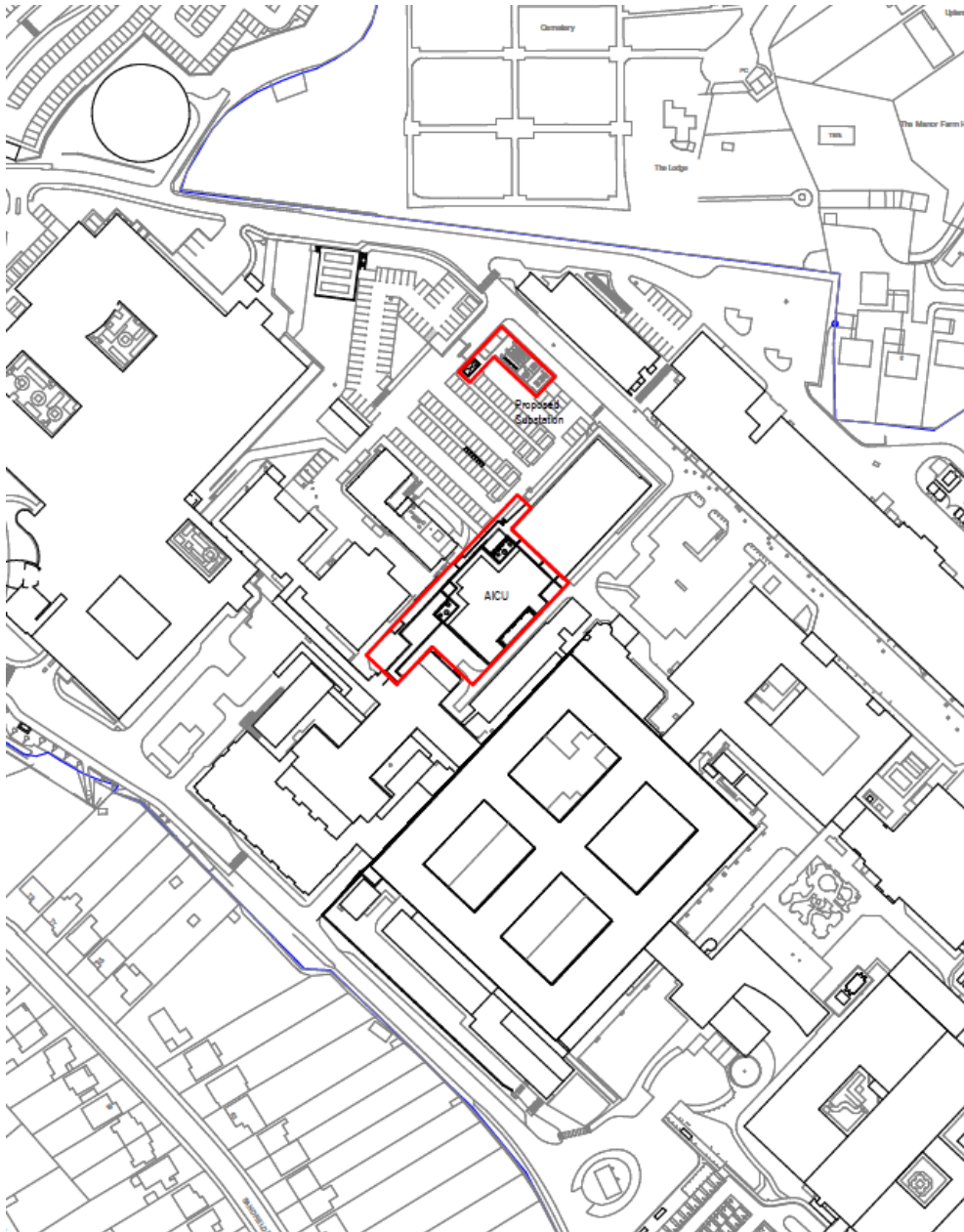
Reason: To ensure that the needs of users are not adversely impacted by the development.

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 The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Oxford City Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Oxford City Council prior to commencement of development. For more information see: www.oxford.gov.uk/CIL

13. APPENDICES

- Appendix 1 – Site plan



14. HUMAN RIGHTS ACT 1998

14.1. 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.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

15.1. 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.