

Case Officer: Andrew Thompson

Recommendation: Approval

Applicant: Begbroke Oxford Limited

Proposal: Updates to the chosen brick from grey blend to buff/ grey blend and an update to the shading fins from 'brass' colour to 'champagne' colour (proposed as non-material amendment to 21/03150/REM)

Expiry Date: 5 December 2022

Extension of Time: No

1. APPLICATION SITE AND APPROVED DEVELOPMENT

- 1.1. The application site is situated within the Begbroke Science Park site approximately 3 miles north of Oxford, to the west of Kidlington, east of the A44 and approximately ½ a mile south of the settlement of Begbroke. The settlement of Yarnton is situated approximately ¼ of a mile south of the site.
- 1.2. The site is surrounded by agricultural land. Parker Farm lies to the east, Yarnton Garden Centre to the south with Woodstock Road to the west. The landscape is generally flat. Land immediately to the north and east forms part of the strategic development allocation PR8 in the adopted Development Plan.
- 1.3. The existing Begbroke Science Park is bound by existing mature and established vegetation. The site comprises a mixture of buildings of varying age, predominantly used for research purposes. The two development plots are currently vacant and used as temporary car parking zones.
- 1.4. Within the Science Park site is a Grade II Listed building referred to as Begbroke Hill Farmhouse. This is located south of the proposed development site. The building lies within its own grounds and is used for office and conference purposes relating to the main use of the Science Park. The site generally is enclosed by a mature and established hedgerow and sporadic tree planting, which enclose the overall site on all sides.

2. DESCRIPTION OF PROPOSED AMENDMENT(S)

- 2.1. The applicant states that as BOL has progressed with the detailed design of the reserved matters approval, further material exploration has been carried out to elevate the overall aesthetic quality of the two new proposed buildings on the campus.
- 2.2. The applicant outlines that the proposal updates the brick from grey blend to buff/grey blend and updates the shading fins from a brass colour to a champagne colour which, in the view of the applicant's agent, provides a better aesthetic relationship to the updated brick tone.
- 2.3. The applicant submits a Reserved Matters Submission Design Statement – Design Update Comparison to support the proposed changes.

3. RELEVANT PLANNING HISTORY

3.1. Begbroke Science Park has a long history with a significant number of planning applications of varying types over a significant period of time. The majority of the proposals have been to increase the number and scale of buildings on the site and to complement and expand the existing research and development as well as other uses within the site.

3.2. The following planning history is considered directly relevant to the current proposal:

21/03150/REM - Reserved Matters application for 18/00803/OUT - the design, layout, external appearance and landscaping (as required by OPP Condition 1). It also includes the information required by conditions 4, 5 and 21 of the OPP. Submitted scheme also accords with the requirements of conditions 6, 7, 8, 9 and 14 of the OPP. Approved 27 January 2022.

18/00803/OUT - Outline planning permission, with all matters except for access reserved for subsequent approval, for up to 12,500m² of B1a / b / c and ancillary D1 floor space, retention of and improvements to the existing vehicular, public transport, pedestrian and cycle access including internal circulation routes; associated car parking including re-disposition of existing car parking; associated hard and soft landscape works; any necessary demolition (unknown at this stage); and associated drainage, infrastructure and ground re-modelling works. Granted 17th September 2018.

21/01699/NMA - Non-Material Amendment to 18/00803/OUT to raise the height of the approved buildings by 60cm from 12.6m to 13.2m. Granted 8th June 2021.

4. PUBLICITY AND CONSULTATION

4.1. There is no statutory requirement to consult on, or publicise, applications seeking approval for non-material amendments to an existing planning permission

4.2. Responses are available to view in full on the Council's website, via the online Planning Register.

5. APPRAISAL

5.1. The key issue for consideration in this case is whether the proposed change(s) can be accepted as non-material; there is no consideration of the planning merits of the proposed changes.

5.2. Section 96A of the Town and Country Planning Act 1990 (as amended) states that: "A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material". It is also stated that: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted".

5.3. The National Planning Practice Guidance states that: "There is no statutory definition of non-material. This is because it will be dependent on the context of the overall scheme - an amendment that is non material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application". The judgement on materiality in any particular case is one of fact and degree, also taking into account the likely impacts of the amendment. Materiality is considered against the

development as a whole, not just part of it. The benchmark for forming the judgement on materiality is always the original permission.

- 5.4. The proposed changes are for slightly lighter materials than previously approved. The grey blend to buff/grey blend and updates to the shading fins from a brass colour to a champagne colour appear similar to the approved and would not significantly alter the external appearance. As such, it is considered that the proposals would fall within the scope of a non-material amendment. There is no reference to the materials on the approved plans however, as stated by the applicant, the Design Statement should be updated. There are no other references to plans or materials in the Decision Notice.

6. CONCLUSION

- 6.1. Having considered all relevant matters, including the requirements of legislation in s96A, the proposed changes are considered to be non-material to the planning permission when considered individually and cumulatively and would not affect the scope of the planning permission including the associated conditions. For the avoidance of doubt, the approved plans condition (condition 2 of planning permission 21/03150/REM) only is updated (incorporating the plans approved by 22/01610/NMA). For the avoidance of doubt Condition 2 now reads:

Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents:

Design Statement revision 01 (dated 04 November 2022), prepared by NBBJ
Landscape and Ecology Management Plan, prepared by Fira and BSG
Landscape Impact Assessment Addendum, prepared by FCPR
Details of Creation and Enhancement of Public Art, prepared by Assemble
Note regarding: Ecology Mitigation for 18/00803/OUT, prepared by Fira,
BSG Arboriculture Addendum, prepared by FPCR.
Site Location Plan BBSP-NBBJ-ZZ-XX-DR-A-501001/P3
Site Plan - Existing BBSP-NBBJ-ZZ-XX-DR-A-501000/P3
Proposed Site Plan - Campus BBSP-NBBJ-ZZ-XX-DR-A-501010/P4
Proposed Ground Floor Plan Com Building BBSP-NBBJ-CB-00DR-A-501020/P4
Proposed First Floor Plan Com Building BBSP-NBBJ-CB-01-DR-A-501021/P4
Proposed Second Floor Plan Com Build- BBSP-NBBJ-CB-02-DR-A-501022/P4
Proposed Plant Floor Plan Com Building BBSP-NBBJ-CB-RF-DR-A-501023/P3
Proposed Roof Plan Com Building BBSP-NBBJ-CB-RF-DR-A-501024/P2
Proposed Ground Floor Plan Ac Building BBSP-NBBJ-AB-00-DR-A-501040/P4
Proposed First Floor Plan Ac Building BBSP-NBBJ-AB-01-DR-A-501041/P4
Proposed Second Floor Plan Ac Building BBSP-NBBJ-AB-02-DR-A-501042/P3
Proposed Plant Floor Plan Ac Building BBSP-NBBJ-AB-03-DR-A-501043/P2
Proposed Roof Plan Ac Building BBSP-NBBJ-AB-RF-DR-A-501044/P5
Proposed Elevations Com Building N-S BBSP-NBBJ-CB-XX-DR-A-502010/P4
Proposed Elevations Com Building E-W BBSP-NBBJ-CB-XX-DR-A-502011/P3
Proposed Elevations Typical Gas Stores BBSP-NBBJ-CB-XX-DR-A-502012/P2
Proposed Elevations Ac Building N-S BBSP-NBBJ-AB-XX-DR-A-502020/P7
Proposed Elevations Ac Building E-W BBSP-NBBJ-AB-XX-DR-A-502021/P6
Proposed Sections Com Building BBSP-NBBJ-CB-XX-DR-A-503020/P3
Proposed Sections – Academic Building BBSP-NBBJ-AB-XX-DR-A-503030/P6
Proposed Site Plan – Zone C BBSP-NBBJ-ZZ-XX-DR-A-501011/P4
Proposed Site Plan – Zone B BBSP-NBBJ-ZZ-XX-DR-A-501012/P5
Proposed Elevations & Sections – Academic Building Services Building – BBSP-NBBJ-ZZ-XX-DR-A-502023/P6
Planning Site Sections - Existing BBSP-NBBJ-ZZ-XX-DR-A-503010/P3

Planning Site Sections - Proposed BBSP-NBBJ-ZZ-XX-DR-A-503011/P5
Landscape Masterplan LP2264-FIR-00-ZZ-DR-L-0001/07
Landscape M Plan Car & Cycle Parking LP2264-FIR-00-ZZ-DR- L-0007-04
Reserved Matters Landscape Masterplan LP2264-FIR-00-ZZ-DR-L-0003/05
Proposed Section AA Begbroke Weed Garden BBSP-ASSE-XX-XX-DR-A-403001
Proposed Section BB Begbroke Weed Garden BBSP-ASSE-XX-XX-DR-A-403002
Proposed Section CC + DD Begbroke Weed Garden BBSP-ASSE-XX-XX-DR-A-403003
Path Interface Detail Begbroke Weed Garden BBSP-ASSE-XX-XX-DR-A-975001
Proposed External Elevations Begbroke Weed Garden BBSP-ASSE-XX-XX-DR-A-302001
Stone Sink Begbroke Weed Garden BBSP-ASSE-XX-XX-DR-A-725002
Proposed GA Begbroke Weed Garden BBSP-ASSE-XX-XX-DR-A-301001
Stone Furniture Begbroke Weed Garden BBSP-ASSE-XX-XX-DR-A-725001
Proposed Drainage Plan and Setting Out Begbroke Weed Garden BBSP-ASSE-XX-XX-DR-A-301002

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Case Officer: Andrew Thompson

DATE: 15 November 2022

Checked By: Caroline Ford

DATE: 17 November 2022
