

**Case Officer:** Andrew Thompson

**Recommendation:**

**Applicant:** Begbroke Oxford Limited

**Proposal:** Several design changes to the services building (proposed as non-material amendment to 21/03195/F)

**Expiry Date:** 26 May 2023

**Extension of Time:** No

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## **1. APPLICATION SITE AND APPROVED DEVELOPMENT**

- 1.1. As set out in the original application report, 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.
- 1.3. The application site includes approximately 0.60ha of the existing Begbroke Science Park, which comprises a mixture of buildings of a varying age, predominantly used for research purposes.
- 1.4. Within the Science Park site is a Grade II Listed building known 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 mature and established hedgerows and sporadic tree planting, which enclose the overall site on all sides.

## **2. DESCRIPTION OF PROPOSED AMENDMENT(S)**

- 2.1. The original application (21/03195/F) noted that the application site comprises an area of undeveloped land within the Begbroke Science Park and the application seeks planning permission for the construction of a surface level car park to provide 253 parking spaces (including 4 accessible space and 63 electric vehicle charge points) plus a 276m<sup>2</sup> service building to house a substation, sprinkler tanks and EV charging infrastructure.
- 2.2. It is noted that outline planning consent was granted (with all matters reserved except access) in September 2018 for a further 12,500m<sup>2</sup> of B1(a)/(b)/(c) and ancillary D1 floorspace within the Begbroke Science Park site. Reserved Matters have been approved alongside other non-material amendments related to the outline permission and reserved matters.
- 2.3. There has also been a previous NMA submission relating to alterations to the surface treatment of car parking areas.

- 2.4. The application proposes design changes to the approved service building comprising the following changes:
- Height reduction from 4500mm to 4300mm;
  - Ventilation cowls added to the roof;
  - Changes to the roof finishes,
  - Alterations to the location and size of doors on the south elevation,
  - New door to the east elevation.
- 2.5. The application is supported by a covering letter and amended plans:
- Proposed Floor and Roof Plan – Services Building [Drawing no. BBSP-NBBJ-ZZ-XX-DR-A-511011/C02];
  - Proposed Elevations and Sections – Services Building [Drawing no. BBSP-NBBJ-ZZ-XX-DR-A-512010/C02].

### **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. Planning permissions relevant to this application:

22/02372/NMA - Non-material amendment to 21/03195/F - The Non-Material Amendment proposes the substitution of permeable block paving to parking bay surfacing with a porous bituminous macadam surface. Approved 02/09/2022

22/01789/NMA – substitution of permeable block paving to parking bay surfacing with porous bituminous macadam surface (proposed as non – material amendment to 21/03195/F), Refused July 2022.

21/03195/F - Formation of surface car park and service building (including substation, sprinkler tanks and EV charging infrastructure). Granted 02/02/2022.

3.3. The following planning history is also considered relevant to the current proposal:

22/03355/NMA - 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). Granted 17th November 2022

22/01610/NMA – amendments to 21/03150/REM, Granted June 2022.

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.

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

18/00803/OUT - Outline planning permission, with all matters except for access reserved for subsequent approval, for up to 12,500m<sup>2</sup> 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.

#### **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.

#### **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 to the roof, i.e. the installation of the ventilation and the surface treatment are considered minor in relation to the visual interpretation of the building and would not be seen except from distance or higher vantage points within surrounding buildings.
- 5.5. The changes to the south elevation and the position and size of the doors are also noted. The doors are now less uniform in nature but this reduces the functional feel of the design which could be considered a positive feature of the changes and the additional door to the east elevation would not add a significant change to the character of the building. The reduction in the height of the building would also not be readily interpreted.
- 5.6. Overall, individually and cumulatively the proposed changes would not significantly alter the building and would be considered as non-material.

## 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 21/03195/F) only is updated (incorporating the plans approved by 22/02372/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:

Proposed Site Plan BBSP-NBBJ-ZZ-XX-DR-A-511010/P3  
Proposed Floor and Roof Plan – Services Building BBSP-NBBJ-ZZ-XX-DR-A-511011/C02  
Proposed Elevations and Sections – Services Building BBSP-NBBJ-ZZ-XX-DR-A-512010/C02  
Landscape Masterplan LP2264-FIR-00-ZZ-DR-L-0001/08  
Car Park Landscape General Arrangement LP2264-FIR-00-ZZ-DR-L-0002 Rev 05  
Car Park Overland Flows BBSP-RAMB-CP-XX-DR-C-000105/P02  
Car Park Foul and Surface Water Drainage Layout BBSP-RAMB-CP-XX-DR-C-000110/P02  
Car Park Drainage Details Sheet 1 BBSP-RAMB-CP-XX-DR-C-00410/P01  
Car Park Drainage Details Sheet 2 BBSP-RAMB-CP-XX-DR-C-00411/P01  
Car Park Drainage Details Sheet 3 BBSP-RAMB-CP-XX-DR-C-00412/P01  
Car Park Drainage Details Sheet 4 BBSP-RAMB-CP-XX-DR-C-00413/P01  
Construction Details BBSP-RAMB-CP-XX-DR-C-000510/P04  
Vehicle Swept Paths Sheet 1 BBSP-RAMB-CP-XX-DR-C-00550/P01P  
Zone C Proposed Surface Water Drainage Layout BBSP-RAMB-ZC-XX-DR-C-000103 Rev P04  
Pavements Plan BBSP-RAMB-ZZ-XX-DR-C-00500 Rev P04  
Design and Access Statement, including landscaping and drainage details, prepared by NBBJ, Fira and Ramboll  
Transport Statement, prepared by IMA Transport Planning  
Arboriculture Assessment, Tree Schedule and Tree Survey Plan, prepared by FPCR  
Ecological Assessment, prepared by BSG  
Drainage Statement, prepared by Ramboll  
Car Park Lighting Report and drawing BBSP-HLEA-XX-XX-DR-E-708-002/P1, prepared by Hoare Lea  
Biodiversity Metric 3.0 for Car Park Area  
Biodiversity Metric 3.0 for Car Park Area 10%  
District Licence Report Begbroke Science Park (Car Park) 202109015  
District Licensing Scheme Certificate. Habitat Creation and Enhancement Report.

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: 4 May 2023

Checked By: Caroline Ford

DATE: 18 May 2023

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