

EAST AREA PLANNING COMMITTEE

6<sup>th</sup> November 2012

**Application Number:** 12/02219/FUL

**Decision Due by:** 5th December 2012

**Proposal:** Change of use from class B1 (office) to class D1 (radiotherapy centre). Enclosure of existing external staircase and new reception/lobby area.

**Site Address:** Royal Mail, Beaumont House Sandy Lane West, Oxford –  
**Appendix 1**

**Ward:** Littlemore Ward

**Agent:** CSM Architects

**Applicant:** Cancer Partners UK Ltd

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## Recommendation:

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposed change of use to a radiotherapy centre is, whilst away from the office/industrial uses protected by development plan policy in this key employment site, considered to bring a long-vacant office building back into an, albeit less intensive, employment generating use that would help support one of Oxford's key employment sectors. The proposed use is also considered to be commensurate with surrounding office and industrial uses in terms of noise, traffic and general disturbance and is adequately catered for in terms of car and cycle parking facilities as well as refuse storage provision. The proposals are therefore considered to accord with policies CP1, CP6, CP8, CP9, CP10, TR3 and TR4 of the Oxford Local Plan 2001-2016 as well as policies CS18, CS27 and CS28 of the Oxford Core Strategy 2026.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

subject to the following conditions, which have been imposed for the reasons stated:-

- 1 Development begun within time limit

- 2 Develop in accordance with approved plans
- 3 Materials to match
- 4 Exclusion of other uses within Use Class D1
- 5 Car/Cycle parking and manoeuvring areas to be laid out prior to commencement of the new use and retained as such thereafter
- 6 Refuse storage areas to be laid out prior to commencement of the new use and retained as such thereafter
- 7 Minimum of 12 cycle parking spaces to be provided at all times to cater for staff and visitors in the location shown on plan no. 4208/07A

### **Main Local Plan Policies:**

#### **Oxford Local Plan 2001-2016**

- CP1** - Development Proposals
- CP6** - Efficient Use of Land & Density
- CP8** - Design Development to Relate to its Context
- CP9** - Creating Successful New Places
- CP10** - Siting Development to Meet Functional Needs
- HS19** - Privacy and Amenity
- TR3** - Car Parking Standards
- TR4** - Pedestrian & Cycle Facilities

#### **Core Strategy**

- CS18** - Urban design, town character, historic environment
- CS28** - Employment sites
- CS27** - Sustainable economy

#### **Other Material Considerations:**

National Planning Policy Framework

#### **Relevant Site History:**

97/00444/NF - Single storey extension to reception area – Permitted 02.05.1997

07/00164/FUL - Replacement entrance lobby – Permitted 13.04.2007

#### **Representations Received:**

None

### **Statutory and Internal Consultees:**

Littlemore Parish Council – No objection provided sufficient car parking is proposed to prevent parking in nearby residential areas.

Thames Water Plc – No objection

Environment Agency – No objection

Highway Authority – No objection subject to conditions including the requirement for a Travel Plan to be submitted and agreed prior to commencement of the proposed use.

### **Officers' Assessment:**

#### Site and Locality

1. The application site comprises an existing office building that was, until 2004, occupied by Royal Mail for some of its administrative functions. The building provides 1,311 sq m of floorspace over two floors and is supported by a relatively significant car park which forms part of the application site. The building is located at the entrance to the East Point Business Park, sited just off the A4142 ring road. The business park is comprised of predominantly office and light industrial operations. The application site can be seen in its context by viewing the site location plan appended to this report.

#### The Proposed Development

2. The application seeks consent for the change of use of the building from its current B1 (office) use to a radiotherapy centre within use class D1. The facility is proposed to employ 12 full-time and 4-6 part-time radiotherapy, chemotherapy, scanning and support staff though consultants will also use the facility to see patients throughout the day. The operating hours of the Centre are proposed to be between 8.30am and 6.30pm on weekdays and 9am to 1pm on Saturdays. The application also proposes a number of very minor external works including encasing an existing external stair in rendered walls and a standing seam metal roof. The front entrance lobby is also proposed to be demolished and replaced with a structure that is broadly the same.

3. Officers consider the principal determining issues affecting this application to be:

- The principle of the change of use;
- Acceptability of the new use within its context; and
- Highway implications.

#### Change of Use

4. The last and indeed lawful use of the application building was for office (B1 use class) purposes to support the Royal Mail's wider functions. Indeed it is, both in terms of external appearance and internal layout, set up as an office building. The building is located within East Point Business Park which is, through policy CS28 of the Core Strategy, designated as a key protected employment site. Policy CS28 states that planning permission will not be granted for development that results in the loss of key protected employment sites unless either of the following can be demonstrated:

- Overriding evidence is produced to show the operation of the premises is

presently or has caused significant nuisance or environmental problems;

**Or**

- No future occupiers can be found despite substantial evidence to show the premises/site has been marked both for its present use or alternative employment generating uses; **and**
- The loss of jobs would not reduce the diversity and availability of job opportunities or small start-up business premises.

5. The supporting text to policy CS28 of the Core Strategy refers to employment sites as those in Class B uses (i.e. offices, industrial or warehousing) or closely related sui generis uses only (i.e. transport operators, builders yards etc).

6. It is clear therefore that the proposals, for a radiotherapy centre in Class D1 use, will result in a loss of a Class B use within a protected employment site and policy CS28 dictates that such a proposal be refused unless material considerations indicate otherwise.

7. However, it is clear from evidence submitted with the application and from anecdotal knowledge of the site that the building has been vacant since 2004 despite extensive marketing by at least two different estate agency firms. This is a significant period of time therefore that the building has not been contributing towards job provision within the City.

8. Officers recognise that the use of the building as a radiotherapy centre and the subsequent requirements for floorspace per consultancy room, the necessary changing/rest/waiting rooms as well as the significant plant requirements for such a facility mean that it will provide not nearly the level of employment that the average office use would allow. However, given that, at present, the building is contributing nothing towards job provision/retention within the City and that there seems to be no realistic prospect of an office use being found for the building in the short-medium term, officers are content that the requirements of policy CS28 of the Core Strategy have been met.

9. Officers would also point out that policy CS27 of the Core Strategy states that the Council will support Oxford's key employment sectors and clusters and permit proposals that seek to achieve managed economic growth. Such key employment sectors/clusters are referred to in the supporting text to the policy as including the universities, hospitals and the medical/scientific research industry. The proposals are therefore considered to not only bring an employment generating use to a long-vacant office building but also help support and contribute to one of Oxford's key existing strengths – the medical/scientific research sector. Such benefits are considered to override the default planning policy objection to the change use away from Class B uses within a key protected employment site.

10. Officers do however recommend a condition be imposed restricting the use of the site to a radiotherapy centre only. This will prevent the long-term loss of the building from a Class B employment generating use in the event that the proposed radiotherapy centre vacates the building in the future. This will prevent other potential operations within Class D1 occupying the building without planning consent. This would allow the proposals to be considered against the policies of the development

plan at that time.

#### Acceptability of Proposed Use

11. The use of the building as a radiotherapy centre is considered to be very unlikely to give rise to any material increase in noise, disturbance, traffic generation or other environmental effect over and above that which would be expected of a typical office or industrial premises. As a consequence, the use is considered to be commensurate with the nature of other existing uses within the business park and would not, in any way, prejudice the future functioning or desirability of the protected employment site. In addition, given the building's location within an existing business park, it is separated from residential properties such that no material harm will occur to amenity enjoyed by occupiers of any dwellings.

#### Highway Implications

12. As already discussed above, the proposed use is unlikely to result in a greater overall demand for car parking than the more employee intensive office use for which it is currently authorised. However, as the Centre would involve numerous visits from GPs, nurses, visitors etc throughout the day, the overall level of comings and goings outside the peak commuting hours may be higher. Policy TR3 of the Local Plan requires, for medical clinics of the size proposed, parking provision for 32 cars. This is comfortably exceeded by the 46 currently available spaces and, as part of the proposals to demolish one of the external stairs, this will create an additional two spaces to give a total of 48. Officers are therefore satisfied that the proposals will not result in an increase in indiscriminate on-street parking in the surrounding area.

13. Policy TR4 of the Local Plan requires a minimum of 22 covered and secure parking spaces for a development of the type proposed. However in this case, given the health of many of the patients coming to the radiotherapy centre, such provision is likely to be excessive as most will arrive by car and be dropped off outside the building. A dedicated 'drop off' lay-by is proposed. Visiting doctors, nurses are also unlikely to arrive by bicycle though regular staff should be encouraged to cycle to work. Consequently a condition is recommended on the permission that a minimum of 12 covered and secure parking spaces are required at any time. Such a figure is considered to be not only realistic in the context of the operation proposed but will also prevent the loss of parking spaces to cater for an unnecessarily high provision of cycle storage facilities. A Travel Plan is also recommended to be required by condition prior to commencement of the new Radiotherapy Centre use in the interests of encouraging sustainable travel. This would need to demonstrate that cycling and public transport trips will be encouraged for staff and, where relevant, other visiting professionals. This could also include car-sharing trips given the nature of the use and its likely catchment area.

14. Consequently the level of car and cycle parking provision is considered appropriate for the use proposed with the scheme unlikely to result in a material increase in traffic generation over and above that which would occur if the building were to be lawfully used as an office once again.

**Conclusion:**

15. For the reasons given above the East Area Planning Committee is recommended to approve the application subject to the conditions suggested at the beginning of this report.

**Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

**Section 17 of the Crime and Disorder Act 1998**

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

**Background Papers:** 97/00444/NF, 07/00164/FUL & 12/02219/FUL

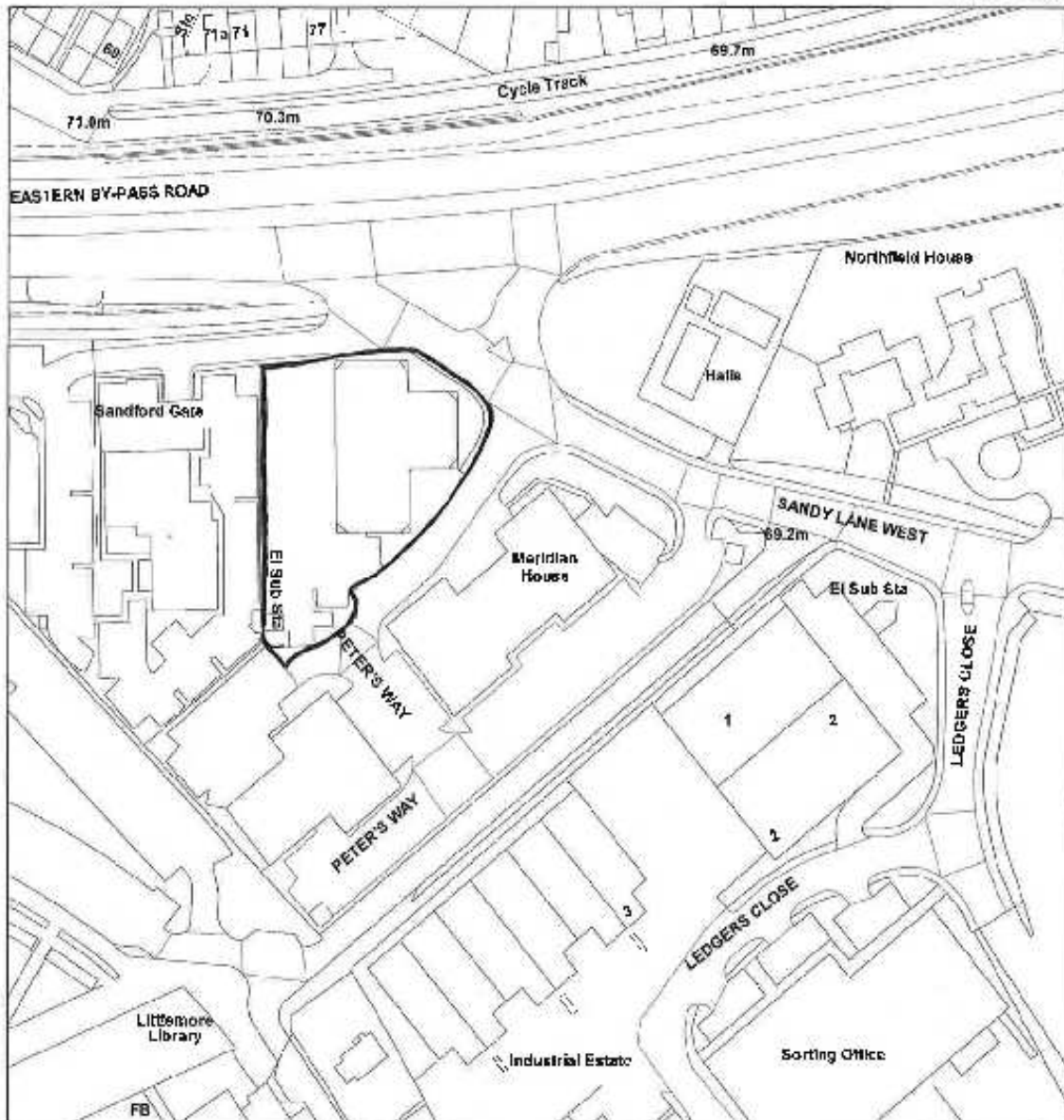
**Contact Officer:** Matthew Parry

**Extension:** 2160

**Date:** 25<sup>th</sup> October 2012

# Appendix 1

## Beaumont House, East Point Business Park



Scale : 1:1250

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|---------------------|---------------------|
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| <b>Department</b>   | City Development    |
| <b>Comments</b>     | 12/02219/PUL        |
| <b>Date</b>         | 23 October 2012     |
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