

EAST AREA PLANNING COMMITTEE

Application Number: 18/02783/FUL

Decision Due by: 19th December 2018

Extension of Time: To Be Agreed

Proposal: Erection of single storey extension to west elevation including provision of plant equipment above. Installation of electrical substation and plant compound. Provision of cycle parking including installation of glazed canopy. Associated landscaping works. (Amended description)(Additional Information)(Amended Plans)

Site Address: Beaumont House , Sandy Lane West, Oxford, OX4 6LB

Ward: Littlemore Ward

Case Officer Alice Watkins

Agent: Mr James Cullingford **Applicant:** GenesisCare

Reason at Committee: Called in by Councillors Tanner, Malik, McManners, Tarver and Rowley because of concerns around public health.

1. RECOMMENDATION

1.1. East 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 12 of this report and grant planning permission.

(b) Agree to delegate authority to the Acting Head of Planning Services to:

1. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers the erection of a single storey extension to the western side of the existing Beaumont House Building to provide a new radiotherapy treatment room and associated plant equipment. The development includes the loss of on-site car parking and the provision of additional cycle stores. The London Plane highway tree at the front of the site will be retained and protected during construction.

The proposed development is considered to be appropriately designed and would not compromise the residential amenity of adjacent properties. The loss of car parking at the site is considered acceptable and would comply with the parking standards set out under TR3 of the Local Plan. A parking statement has been submitted with the application which demonstrates that the remaining car parking would be sufficient for the site. Additional cycle storage is proposed at the site which is considered acceptable in line with the requirements of TR4 of the Local Plan. The London Plane tree to the front of the site is to be retained and adequately protected during construction. Overall, the development is considered acceptable, in accordance with the identified policies and approval is recommended.

3. LEGAL AGREEMENT

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

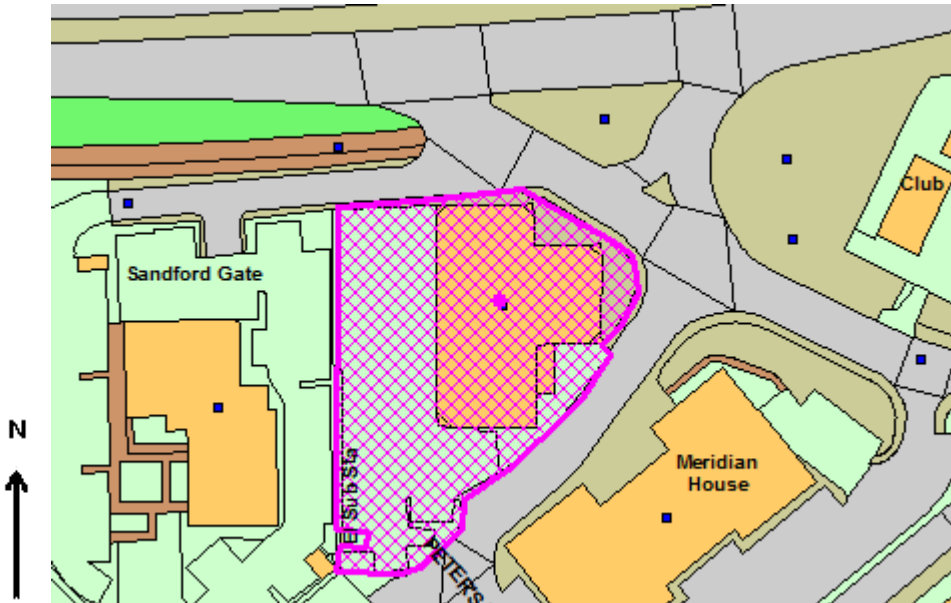
4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. The proposal is liable for CIL contributions of £4179.88.

5. SITE AND SURROUNDINGS

5.1. The site is located on the southern side of Sandy Lane West and lies within the East Point Business Park. The site is accessed from Peters Way, a no-through road running through the business park. The Meridian House office building lies to the south-east of the site, Sandford Gate offices to the west and Orion House is to the south. To the north of the site lies the Eastern By-pass Road. The existing Beaumont House building is two storey and the first floor level is predominantly glazed. The building is similar in design to the adjacent buildings in the East Point Business Park which are all constructed from red brick with grey tiled roofs and feature floor to ceiling glazing.

5.2. A site location plan is set out below:



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6. PROPOSAL

- 6.1. The application proposes to erect a single storey extension which would extend by 13.6m from the western elevation and would provide an additional radiotherapy treatment room. The extension includes the installation of plant equipment within the mansard roof. The maximum height of the extension is 6.5m. A new electrical substation and a plant compound are proposed to the front of the site. Twenty covered cycle spaces will be provided to the western side of the extension and eight cycle spaces to the south of the existing building.
- 6.2. The design of the extension has evolved during the course of the application. The application originally sought consent for a single storey extension of the same depth but of a different form. The original scheme proposed a louvered façade to screen the plant equipment and included a render and zinc finish. The extension did not relate well to the existing building and did not reflect the character of Beaumont House or the wider Business Park. The amended scheme in contrast would be constructed with materials to match the existing and with a more traditional roof form.

7. RELEVANT PLANNING HISTORY

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

61/01311/M_H - Land at junction of Eastern By-pass Sandy Lane West - Addition of petrol pumps .(Site of Beaumont House). REFUSED 2nd March 1961.

65/00511/M_H - Use of part of existing factory as wholesale warehouse. (Site of Beaumont House). APPROVED 23rd June 1965.

69/00130/M_H - Temporary addition of a 32' x 10' portakabin to premises to house development department (Site of Beaumont House). TEMPORARY APPROVAL 25th March 1969.

69/00747/M_H - Extension containing 7,365 sq. feet of floor space for manufacture of scientific instruments and ancillary purposes (Site of Beaumont House). APPROVED 17th December 1969.

70/00007/AM_H - Illuminated name sign. (Site of Beaumont House). APPROVED 21st May 1970.

70/00220/M_H - Erection of an extension containing 7,365 square feet of floor space for manufacture of scientific instruments for ancillary purposes. (Site of Beaumont House). APPROVED 23rd April 1970.

72/00020/AM_H - Shop sign. (Site of Beaumont House). APPROVED 18th July 1972.

81/00479/SON - Erection of two advertisements signs (Site of Beaumont House). APPROVED 9th September 1981.

81/00488/SON - Alterations to factory, extensions to provide a compressor-house (Site of Beaumont House). APPROVED 9th September 1981.

82/00296/SON - Alterations to factory (Site of Beaumont House). APPROVED 8th July 1982.

82/00378/SON - Provision of extra hard standing for cars on vacant land at front of site, by laying concrete apron (Site of Beaumont House). REFUSED 15th September 1982.

86/00817/PN - Erection of 2-storey office building. Erection of 2No 2-storey light industrial buildings and associated offices to provide up to 7 separate units of commercial space suitable for high technology users. Estate road, accesses, car parking and servicing to local authority standards with high specification landscaping works. (Beaumont House and Meridian House, Sandy Lane West, Orion House, Peter's Way). APPROVED 18th March 1987.

87/00367/PN - Advertising hoarding (Beaumont House and Meridian House, Sandy Lane West, Orion House, Peter's Way). TEMPORARY APPROVAL 1st July 1987.

87/00463/PN - 2 two storey high tech buildings. 1 two storey office block. Accesses, car parking and landscaping (Outline planning permission 86/00817/PN refers) (Beaumont House and Meridian House, Sandy Lane West, Orion House, Peter's Way). APPROVED 15th October 1987.

87/00888/PN - Redevelopment to provide three, two storey-buildings (Use Class B1 together with associated parking spaces, servicing / access arrangements and landscaping (Beaumont House and Meridian House, Sandy Lane West, Orion House, Peter's Way). APPROVED 24th February 1988.

92/00731/A - 1) Non-illuminated fascia sign. 2) 2 Free-standing pole mounted signs. 3) Several signs in connection with use as car park. 4) 1 flag Pole (Beaumont House). APPROVED 16th September 1992.

97/00444/NF - Single storey extension to reception area (Beaumont House). APPROVED 2nd May 1997.

07/00164/FUL - Replacement entrance lobby (Beaumont House). APPROVED 13th April 2007.

12/02219/FUL - Change of use from class B1 (office) to class D1 (radiotherapy centre). Enclosure of existing external staircase and new reception/lobby area..(Beaumont House). APPROVED 13th December 2012.

12/02219/NMA - Non-material amendment to planning permission 12/02219/FUL involving relocation of set of louvres from north elevation to west elevation, replacement of glass doors to rear with louvres and replacement of windows with 2 x glazed fire exit doors (Beaumont House).. APPROVED 13th September 2013.

14/01015/ADV - Display of 1 x illuminated sign. (Amended plan). WITHDRAWN 9th June 2014.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

| Topic | National Planning Policy Framework (NPPF) | Local Plan | Core Strategy | Sites and Housing Plan | Emerging Local Plan Policies |
|-----------------------------|---|------------------------|----------------|------------------------|------------------------------|
| Design | 12 | CP1, CP6, CP8, CP10, | CS18_ | HP9_ | DH1 |
| Housing | 5 | | | HP14_ | |
| Social and community | 8 | | CS28_ CS15_ | | V7 |
| Transport | 9 | TR3, TR4, | | | |
| Environmental | 15 | CP11, CP22 NE15, | CS9 | | RE1 |
| Misc | | | | MP1 | |

9. CONSULTATION RESPONSES

Site notices were displayed around the application site on 5th November,. Revised notices were displayed on the 12th November when the description of the development was amended. On 19th December 2018 further notices were displayed at the site upon receipt of amended plans.

9.1. **Statutory and Non-Statutory Consultees**

Oxfordshire County Council (Highways)

- 9.2. Cycle parking standards state one space per treatment room plus one space per five staff. The car and cycle parking is provided to standard. No objection on highways ground.

Littlemore Parish Council

- 9.3. No objection to the application.

Public representations

- 9.4. No public representations were received in response to the application.

10. PLANNING MATERIAL CONSIDERATIONS

- 10.1. Officers consider the determining issues to be:

- i. Principle of development;
- ii. Design;
- iii. Neighbouring amenity
- iv. Car Parking
- v. Cycle Storage
- vi. Trees
- vii. Contaminated Land
- viii. Energy Efficiency

i. Principle of Development

- 10.2. Beaumont House is allocated as a Key Protected Employment Site under Policy CS28 of the Core Strategy which seeks to protect existing employment sites. Planning permission was sought and granted in 2012 for the change of use of the building from Use Class B1(Office) to Use Class D1 (Radiotherapy Centre). The proposals brought a vacant office building back into use. A condition was imposed on the planning permission to restrict other D1 uses at the site so as to protect the employment use. The site is currently occupied by Genesis Care and operates as a radiotherapy centre under D1 Use. Policy CS15 of the Core Strategy seeks to protect existing primary healthcare facilities and supports regeneration of existing facilities and new development. This application would expand existing healthcare facilities and support new development.

- 10.3. Policy V7 of the emerging Local Plan states that planning permission will be granted for new healthcare facilities where the location is easily accessible by walking, cycling and public transport, the proposal will support new development and will not result in unacceptable environmental impacts. Limited weight is given to the emerging Local Plan, however, the development would comply with the criteria of this policy.

ii. Design and Impact on Character of Surrounding Area

- 10.4. Policies CP1, CP6 and CP8 of the Local Plan, HP9 of the Sites and Housing

Plan and CS18 of the Core Strategy, together with the NPPF require development proposals to incorporate high standards of design and respect local character.

- 10.5. The design of the extension has evolved during the course of the application. The application originally sought consent for a single storey extension of the same depth but of a different form. The original scheme proposed a louvered façade to screen the plant equipment and included a render and zinc finish. The extension did not relate well to the existing building and did not reflect the character of Beaumont House or the wider Business Park. The amended plans have successfully overcome Officers concerns and this report considers the amended scheme.
- 10.6. The proposed extension extends from the western elevation by approximately 13.6m and has a maximum height of 6.5m. The extension features a mansard roof which has been carefully designed to screen the roof top plant equipment and reduce the visual impact of the development. The extension is of an appropriate scale and form and is a wholly appropriate addition to the existing building. It would not detract from character of the original building or of the surrounding area. The development is to be constructed from materials to match the host dwelling and the window design would reflect glazing featured in the main building.
- 10.7. The extension would be easily visible from Sandy Lane West and the surrounding sites. The development would not substantially alter the visual appearance of the building or its relationship with the surrounding area. It is set back sufficiently from the highway so as to not read as a dominant addition in the streetscene.
- 10.8. The provision of plant equipment and an electrical substation to the front of the site would have limited visual impact being behind a 2.4m planted screen wall which replaces an existing timber fence of similar height. The new boundary treatments will not detract from the character of the building or surrounding commercial area.
- 10.9. The extension would form an appropriate visual relationship with the host building and would be acceptable in design terms. The development would comply with CP1, CP8 and CP10 of the Local Plan, DH1 of the Emerging Local Plan, HP9 of the Sites and Housing Plan, CS18 of the Core Strategy and the NPPF.

iii. Impact on Neighbouring Amenity

- 10.10. The site lies within the East Point Business Park and commercial properties lie to the east, south and west sides. Orion House, to the south of the site, is also in use as a specialist cancer treatment centre. The nearest residential properties to the site are the flats at Northfield House which are sited approximately 120m from the application site. The site lies within a commercial business park and is not within a residential area.

- 10.11. The site will operate from 7am to 8pm Monday to Sunday (inclusive). It is anticipated that patients will be treated between 9am and 5.30pm, with the additional operating hours required for equipment start-up and shut-down procedures. The operating hours are consistent with the operating hours of Orion House which is to the south of the site and operates as a specialist cancer treatment centre.
- 10.12. The proposal would be compliant with CP1 and CP10 of the Local Plan and HP14 of the Sites and Housing Plan.
- 10.13. The application has been called into Committee because of concerns relating to public health. In response to this, the agent has submitted additional information providing details of radiation exposure. There is an existing Linear Accelerator (radiotherapy treatment machine) at the site which has been treating patients since June 2014 without incident or any cause for concern. The development will provide a radiotherapy bunker for the installation of a new Linear Accelerator (Linac). The beam energy used by the new Linac is lower than the existing treatment machine so any potential risk to the public from scatter radiation would be substantially less than present. The existing and proposed radiotherapy bunkers have been designed in accordance with UK regulations. The new bunker will be subject to a critical exam conducted in accordance with the relevant regulations. A Linac is only capable of producing radiation when connected to main electricity and powered on. When switched off, there is no radiation present. Patients do not remain radioactive in any way after treatment.
- 10.14. Public Health in this sense is not a material planning consideration and it would not be reasonable to refuse planning permission on this basis. There are no relevant planning policies which relate to this matter, nor does the NPPF seek to restrict development on this ground. The specific use of radiology equipment is governed by the Care Quality Commission (CQC) and the Health and Safety Executive (HSE).

iv. Car Parking

Transport Sustainability

- 10.15. Policy TR3 of the Local Plan states that planning permission will only be granted for development that provide an appropriate level of car parking spaces no greater than the maximum car-parking standards shown in Appendix 3. Medical clinics are required to provide two spaces per treatment room plus one space per two staff.
- 10.16. There are two treatments rooms at the site and the equivalent of 34 full-time staff will be employed. The standards set out under Appendix 3 of the Local Plan would require 21 car parking spaces to be provided for this site. The site would benefit from 23 car parking spaces, which is a reduction of 13 spaces to allow for the extension and associated plant equipment. Whilst the number of parking spaces required is above the maximum standard, it is a reduction in the current number of parking spaces on the site and it would not be reasonable to object to

the development on this basis. The Highway Authority has reviewed the development and raise no objection.

10.17. The development would not result in adverse highways impacts and would comply with the parking standards set out under TR3 and Appendix 3 of the Oxford Local Plan and the NPPF.

v. Cycle Parking

10.18. Policy TR4 of the Local Plan states that planning permission will only be granted for development that complies with the minimum cycle parking standards set out under Appendix 4. One cycle space per treatment room is required and one space per five staff members.

10.19. The site will benefit from two treatment rooms and the equivalent of 34 full-time staff will be employed. The site is required to provide a minimum of nine cycle parking spaces. The development proposes 20 covered spaces to the western side of the extension and eight spaces to the south of the existing building.

10.20. The proposed cycle parking provision is in line with the standards set out under TR4 and Appendix 4 of the Local Plan and the requirements of the NPPF and can be secured by condition.

vi. Trees

10.21. The proposed development includes excavation at the extremities of the Root Protection Area of a London Plane tree that is adjacent to the site. The tree will need some minor facilitation pruning but if the recommendations in the submitted Arboricultural Method Statement and Tree Protection Plan are implemented and strictly adhered to, the viability of the tree and its amenity value should not be harmed. Appropriate conditions have been recommended which would seek to protect the tree during construction.

10.22. The proposal is considered to comply with CP1, CP11 and NE15 of the Local Plan and the NPPF.

vii. Contaminated Land

10.23. Historical site investigation documentation and planning records for the site do not highlight any significant contamination issues. Officers consider that the risk of significant contamination being present on site is low. The site did have a previous commercial and industrial use prior to its current use as a Business Park and as such, there remains a small chance of unexpected contamination being present on site. An informative has been recommended to be included on any grant of planning permission in case any unexpected contamination is encountered during development.

10.24. The proposal would comply with CP22 of the Local Plan and the NPPF.

viii. Energy Efficiency

10.25 The development is small scale and is not required to meet the energy efficiency requirements (i.e. energy statement) set out under CS9 of the Core Strategy.

On this basis, the proposal is considered to comply with CS9 of the Core Strategy and RE1 of the Emerging Local Plan.

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 Purchased Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.2. Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development proposals which accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

11.3. The proposals would provide an additional radiotherapy treatment room and protect and enhance an existing primary healthcare facility and would meet the aims of CS15 of the Core Strategy and the NPPF. It is considered that the development would be acceptable in design terms and would not have an adverse impact on the highways network or residential amenity. The existing highway tree to the front of the site can be adequately protected during construction. The proposal would comply with the development plan as a whole and with the NPPF.

11.4. It is recommended that the Committee resolve to grant planning permission for the development proposed.

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 CP1 of the Oxford Local Plan 2001-2016.

- 3 The materials to be used in the external elevations of the new development shall match those of the existing building.

Reason: To ensure that the new development is in keeping with existing building(s) in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016.

- 4 The building/land shall only be used for the purposes of a radiotherapy centre and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class revoking or enacting that Order).

Reason: To ensure that the Local Planning Authority can properly consider any alternative use of the premises in accordance with the relevant policies of the development plan.

- 5 Prior to the start of any work on site, details of the location of all underground services and soakaways shall be submitted to and approved in writing by the Local Planning Authority (LPA). The location of underground services and soakaways shall take account of the need to avoid excavation within the Root Protection Areas (RPA) of retained trees as defined in the British Standard 5837:2012- 'Trees in relation to design, demolition and construction-Recommendations'. Works shall only be carried in accordance with the approved details.

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

- 6 The development shall be carried out in strict accordance with the approved methods of working and tree protection measures contained within the planning application details 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.

- 7 Prior to occupation of the new development, the cycle parking hereby approved, shall be provided on site and retained thereafter.

Reason: To ensure that adequate cycle parking is provided in line with the requirements of TR4 of the Oxford Local Plan.

13. APPENDICES

Appendix 1 – Site Location 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.