

EAST AREA PLANNING COMMITTEE

2nd October 2019

Application number:	19/01373/FUL		
Decision due by	22 nd August 2019		
Extension of time	10 th October 2019		
Proposal	External alterations to existing building including installation of 2no. flues and external staircase and formation of waste compound, 2no. plant compounds and 2no. storage compounds.		
Site address	Former Royal Mail Sorting Office , 7000 Alec Issigonis Way, Oxford, OX4 2ZY – see Appendix 1 for block plan		
Ward	Lye Valley Ward		
Case officer	Sarah Chesshyre		
Agent:	Mr Michael Gilbert	Applicant:	Mr Richard Crossman
Reason at Committee	The application comprises 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 and subject to the required planning conditions and informative set out in section 12 of this report and grant planning permission.

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

- finalise the recommended conditions and informative 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 external alterations to the former Royal Mail Sorting Office, for which permission was granted for change of use to mixed B8 and B1(a) (office) use. The works comprise external alterations to the building including the installation of two flues and an external staircase to the existing building and the insertion of a number of windows, louvres and doors. Permission is also sought for the formation of a waste compound, two storage compounds and two plant compounds within the curtilage of the building.

2.2. Officers consider that the proposed works would be acceptable in design terms, and would not cause harm to designated heritage assets. The proposals are also not considered to give rise to any impacts that would be harmful to amenity or highway safety. The proposals are considered to comply with CP1, CP6, CP8, CP10, CP19, CP21, TR3, TR4, TR12, HE3 and HE7 of the Oxford Local Plan 2001-2016, CS18 of the Core Strategy and the NPPF, as well as policies DH1, DH3, M3, M4, RE7 and RE8 of the emerging Oxford Local Plan 2036, noting that it carries only limited weight at this time.

2.3. Officers consider that the proposals would be acceptable and that the development would accord with the policies of the development plan when considered as a whole and the range of material considerations and support the grant of planning permission.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

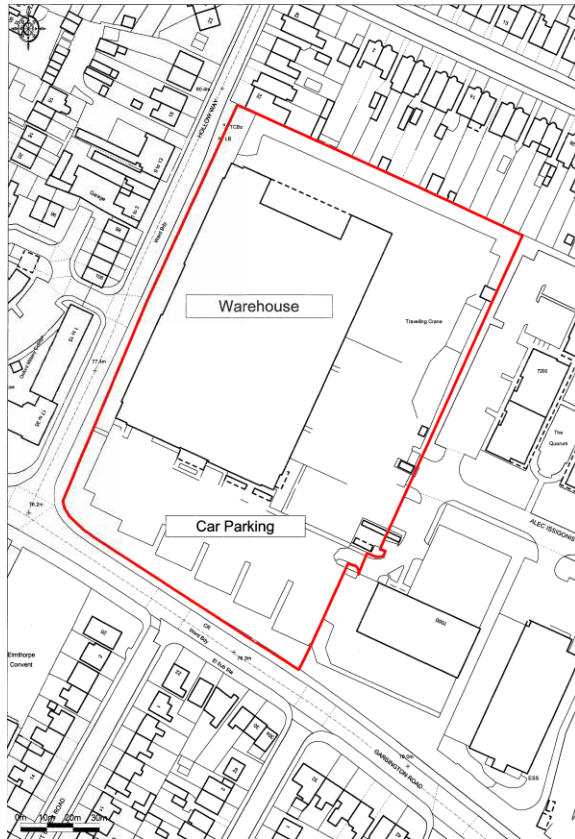
4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The site is located in the north-western corner of the Oxford Business Park. The site is bounded by residential properties on Hollow Way and Fern Hill Road to the north, and to the west by Hollow Way and residential properties contained within the Grade II Listed Buildings of the former Nuffield Press. Garsington Road (B480) lies to the south and the rest of the Oxford Business Park to the east.

5.2. The site is in the setting of the Temple Cowley Conservation Area, whose boundary runs to the west side of Hollow Way. The site is mostly located within the Transport District Area.

5.3. See site location plan below:



6. PROPOSAL

6.1. The application proposes external alterations to the former Royal Mail sorting office, which benefits from planning permission for mixed B8 and B1(a) (office) use. The alterations comprise the following:

- The installation of two flues and a flue support to the east elevation. The flues would have a maximum height of 11.8 metres and would project above the ridge of the main roof of the building by 0.7 metres.
- The insertion of 6 new windows in the east elevation and 4 new windows in the south elevation. These would all have dark grey frames to match the existing windows to the building.
- The installation of an external fire escape staircase to the east elevation. This would have a maximum height of 5.8 metres, and would project forward of the east elevation by 5.8 metres. This would be painted dark grey to match the existing fire escape staircase to the south elevation.
- The installation of 6 mechanical/electrical units at ground level to the south elevation. These would be screened by retained trees along the southern boundary of the site.
- The removal of 5 roller shutter doors to the east elevation and their replacement with metal cladding to match the main building.
- The installation of 1 louvre to the east elevation and 1 louvre to the north elevation finished in dark grey to match the existing windows, and the installation of 4 louvres to the west elevation and 1 louvre to the south elevation in light grey to match the existing cladding and roof soffit.

- The insertion of 1 entrance door, 1 dark grey louvre door and 1 roller shutter door measuring 4 metres by 4 metres to the north elevation.
- The formation of a waste compound to north of building. This would have a footprint measuring 6.8 metres by 5.6 metres and would have a height of 4.1 metres. This would be enclosed with timber hit and miss fencing and a profiled metal roof.
- The formation of 2 external stores in the north east corner of the site. Permission was previously granted for two stores in this location under planning permission 18/00813/FUL. This application seeks permission for timber hit and miss screening and a metal profiled roof to these stores, with a maximum height of 2.9 metres.
- The formation of 3 external plant compounds to the east elevation of the building. Permission was previously granted for the northern-most of these external stores under planning permission 18/00813/FUL. This application seeks permission for a further two external plant compounds, and 3 metre high timber hit and miss fencing to screen all three compounds.
- The relocation of a cycle store from the north west corner of the building to the south west.

7. RELEVANT PLANNING HISTORY

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

16/00177/FUL - Demolition of former Royal Mail Sorting Office (B8) and Vehicle Maintenance Depot (B2) and the redevelopment of the site with the Use Classes B1(c), B2 and B8 and ancillary offices (B1(a)). APPROVED 20th March 2017.

16/02885/FUL - Alterations to windows and doors to east and south elevation with formation of canopy to east elevation. Insertion of 2.4m tall fencing and gates, and erection of external storage racks. Re-organisation of car park. WITHDRAWN 6th January 2017.

17/00923/FUL - External alterations of the former Royal Mail Sorting Office building including alterations to the existing building facade and changes to the layout and levels of the existing service yard and car park. APPROVED 17th July 2017.

17/02657/VAR - Variation of condition 2 (Develop in accordance with approved plans) of planning permission 17/00923/FUL (External alterations of the former Royal Mail Sorting Office building including alterations to the existing building facade and changes to the layout and levels of the existing service yard and car park) to allow additional fenestration. APPROVED 9th January 2018.

18/00813/FUL - Change of use of building to Mixed Use Class B1(a), B1(b) and B8 purposes, plus external works. (Additional information and amended plans). APPROVED 12th July 2018. 18/03222/FUL - Formation of boundary fencing and 2no. gates and alterations to 2no. existing gates. APPROVED 21st March 2019.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Emerging Oxford Local Plan 2036
Design	117, 118, 122, 127	CP1 Development Proposals CP6 Efficient Use of Land & Density CP8 Designing Development to Relate to its Context CP9 Creating Successful New Places CP10 Siting Development to Meet Functional Needs	CS18 Urban design, townscape, character, historic environment,	DH1 High quality design and placemaking
Conservation/Heritage	193, 197	HE3 Listed Buildings and their setting HE7 Conservation Areas		DH3 Designated heritage assets
Social and community		CP13 Accessibility		
Transport	109, 110	TR3 Car Parking Standards TR4 Pedestrian & Cycle Facilities TR12 Private Non-Residential Parking		RE7 Managing the impact of development M3 Motor vehicle parking M4 Cycle parking
Environmental	127, 180	CP1 Development Proposals CP10 Siting Development to Meet Functional Needs	CS10 Waste & Recycling	RE7 Managing the impact of development RE8 Noise and vibration
Miscellaneous	38, 47	CP13 Accessibility		

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 26th June 2019 and an advertisement was published in The Oxford Times newspaper on 20th June 2019. Further site notices were displayed around the application site on 24th July 2019, and another advertisement published in the Oxford Times on 25th July 2019, as the originally displayed notices omitted that the proposals affected the setting of listed buildings and a conservation area.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways and Drainage)

9.2. No objection.

Thames Water Utilities Limited

9.3. No comments received.

Natural England

9.4. No comment.

Historic England

9.5. No comment.

Public representations

9.6. No third party comments received.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Impact on neighbouring amenity
- Highways and transport

a. Design

10.2. Policy CS18 of the Core Strategy requires development to demonstrate high-quality urban design that responds appropriately to the site and surroundings; creates a strong sense of place; attractive public realm; and high quality architecture. The Oxford Local Plan 2001-2016 requires development to enhance the quality of the environment, with Policy CP1 central to this purpose. Policy CP6 emphasises the need to make an efficient use of land, in a manner where the built form and site layout suits the sites capacity and surrounding area. Policy CP8 states that the siting, massing, and design of new development should create an appropriate visual relationship with the built form of the surrounding area. Policy DH1 of the Emerging Oxford Local Plan 2036 requires new development to be of high quality design that creates or enhances local distinctiveness.

10.3. Policy HE3 of the Oxford Local Plan 2001-2016 requires development to be appropriate in terms of its scale and location and which uses materials and colours that respect the character of the surroundings, and have due regard to the setting of any listed building. Policy HE7 of the Oxford Local Plan requires development to preserve the special character and appearance of the conservation areas and their setting. The same requirements are carried through to the Emerging Oxford Local Plan 2036 as policy DH3. Paragraph 193 of the

NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

- 10.4. The existing building is a large warehouse/industrial building which is utilitarian in appearance. The proposed external alterations to the building, including the windows, doors, louvres, staircase and mechanical units would be in keeping with existing features of the building and would not be prominent additions. Their materials, scale and positioning on the building would relate well to existing features and would not be highly prominent additions, and as such would not be harmful to the overall appearance of the building, or to the wider area. Having regard to the overall scale of the building, the proposed flues would not project significantly above the roof of the building, and are considered a suitable addition for an industrial building of this kind.
- 10.5. The proposed waste compound and external stores would be enclosed with timber hit and miss fencing and a profiled metal roof. The plant compounds are proposed to be enclosed by timber hit and miss screening at a height of three metres. These structures are of a scale that would be subservient to the main building and the materials are also considered suitable for ancillary structures to the main warehouse. The waste compound would be visible in glimpsed views from Hollow Way, but would be partially screened by existing trees and mature shrubs along the southern boundary. The external stores and plant compounds would not be readily visible in public views as they would be located in the least visible parts of the site.
- 10.6. The south elevation of the building is most sensitive in terms of potential impacts to designated heritage assets. The additions to this elevation would comprise 1 louvre, 1 additional window and 6 mechanical/electrical units. The louvre and window are very minimal additions, and the mechanical units would be screened by retained trees along the southern boundary of the site and would not be visible. The waste compound would also be visible in glimpsed views of this elevation but would read as an ancillary addition to the existing building and would be subservient in terms of scale and materials. Alterations to the south, west and east elevations and the external stores and plant compounds would have no impact on the designated heritage assets or their setting. Having regard to paragraphs 192 and 193 of the NPPF, it is considered that the proposed development would not cause harm to the setting of the listed buildings on Hollow Way or the setting of the Temple Cowley Conservation Area.
- 10.7. Special attention has been paid to the statutory test of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the setting of the nearby listed buildings and so the proposal accords with sections 66 and 72 of the Act.
- 10.8. The proposed development would not result in any harm to designated heritage assets and is compliant with policies HE3 and HE7 of the Oxford Local Plan 2001-2016, paragraphs of the NPPF, and policy DH3 of the emerging Oxford Local Plan 2036, noting that it only has limited weight at this time. The proposals are suitable in design terms and would comply with policies CS18 of

the Core Strategy, CP1, CP6 and CP8 of the Oxford Local Plan 2001-2016 and DH1 of the emerging Oxford Local Plan.

b. Impact on neighbouring amenity

- 10.9. Policy CP10 of the Local Plan requires development proposals to be sited in a manner which meets functional need, but also in a manner that safeguards the amenities of other properties. Policies CP19 and CP21 protect against unacceptable nuisance and noise. Policy RE7 of the emerging Oxford Local Plan 2036 states that planning permission will only be granted for development that ensures the amenity of communities, occupiers and neighbours is protected. Policy RE8 of the emerging Oxford Local Plan 2036 states that planning permission will only be granted for development proposals which manage noise to safeguard or improve amenity, health and quality of life, and that planning permission will not be granted for development that will generate unacceptable noise and vibration impacts.
- 10.10. The site is adjacent to residential buildings to the north, south and west. Dwellings to the south are separated by the car park located at the southern end of the site, and Oxford Road, and are located at a distance of over 60 metres. Dwellings to the west are separated from the site by Hollow Way, and located at a distance of over 20 metres. To the north are dwellings on the east side of Hollow Way and the south side of Fern Hill Road, which are also located at a distance of over 20 metres.
- 10.11. The proposals do not involve any increase in floorspace to the main building in B8 and B1(a) (office) use. The proposed windows in the south and east elevations would not result in any overlooking of neighbouring gardens or dwellings and would not result in any loss of privacy. The proposed staircase and flues would be additions to the east elevation of the building and while they may be visible in glimpses from the wider area, they are located over 20 metres from any residential buildings and would not have an overbearing impact. The louvres and doors would not give rise to any impacts that would be harmful to amenity. Timber screening would enclose the external stores and external plant compounds to a height of approximately 3 metres. These are separated from the closest residential dwellings by over 20 metres, and would not have any overbearing impact or result in any loss of daylight to these properties. The waste compound would have a height of approximately 4 metres. This is situated adjacent to 32 Hollow Way, but would still be separated from the side elevation of this dwelling by 17 metres, and therefore would not result in any loss of light or impact of overbearing to the dwelling or its private rear garden.
- 10.12. Two plant compounds and a number of mechanical/electrical units are proposed as part of the application. The application does not include details of the mechanical plant, and so a condition has been recommended requiring that any air conditioning, mechanical ventilation or associated plant does not result in an increase in existing noise levels at this location, and that these do not exceed 45dB (A) LaeqT when measured one metre from the nearest noise sensitive premises.
- 10.13. The proposals are considered acceptable in safeguarding residential and neighbouring amenity and are compliant with policies CP10, CP19 and CP21 of

the Oxford Local Plan 2001-2016 and policies RE7 and RE8 of the emerging Oxford Local Plan, noting that it carries only limited weight at this time.

c. Highways and transport

10.14. The proposals do not involve any alteration to the layout or number of car parking spaces. There would also not be any change to the number of cycle parking spaces, although a cycle store would be relocated from the north to the south of the building, which is considered acceptable and compliant with TR4 of the Oxford Local Plan 2001-2016.

10.15. The proposed new plant areas and external staircase will result in a reduction in the number of HGV parking bays and 5 roller doors will be taken out of use. Details submitted with the application indicate that the majority of deliveries to the site will be made by 'Luton' type vehicles and therefore the changes to the capacity for HGV vehicles will not result in any harmful impact on the surrounding highway network in terms of vehicles manoeuvring or waiting to enter the site. A swept path analysis has been submitted which demonstrates that HGVs will still be able to enter, turn and exit the site safely and conveniently if indeed they are used for deliveries.

10.16. No objection is raised by the Highway Authority. The proposals are considered acceptable in terms of their impact on highways and highway safety and are compliant with policies CP1, CP10, TR3, TR4 and TR12 of the Oxford Local Plan 2001-2016 and the NPPF, and policies M3 and M4 of the emerging Oxford Local Plan, noting that it carries only limited weight at this time.

11. CONCLUSION

11.1. Having regard 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 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 despite being adopted prior to the publication of the framework.

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. In summary, the proposed development is considered to represent acceptable alterations to the site. The proposals are suitable in design terms and comply with policies CP1, CP8 and CP10 of the Oxford Local Plan 2001-2016, CS18 of the Core Strategy and DH1 of the emerging Oxford Local Plan 2036. The proposals would not result in any harm to designated heritage assets and comply with policies HE3 and HE7 of the Oxford Local Plan 2001-2016 and DH3 of the emerging Oxford Local Plan 2036 as well as the NPPF. The proposals would not result in any harm to neighbouring amenity and are compliant with CP10 of the Oxford Local Plan 2001-2016 and H14, RE7 and RE8 of the emerging Oxford Local Plan 2036. The proposed development is also acceptable in respect of transport and highway safety and complies with policies TR3, TR4 and TR12 of the Oxford Local Plan 2001-2016 and RE7 of the emerging Oxford Local Plan 2036 and the NPPF.

11.5. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material consideration

11.6. The principal material considerations which arise are addressed below, and follow the analysis set out in earlier sections of this report.

11.7. National Planning Policy: the NPPF has a presumption in favour of sustainable development.

11.8. NPPF paragraph 11 states that proposals that accord with the development plan should be approved without delay, or where the development plan is absent, silent, or relevant plans are out of date, granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or specific policies in the framework indicate development should be restricted.

11.9. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out within the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

11.10. 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 Core Strategy 2026, and Oxford Local Plan 2001-2016, and the emerging Local Plan 2036, when considered as a whole, and that there are no material considerations that would outweigh these policies.

11.11. Therefore it is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in Section 12 of this report.

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 new development shall be as specified in the application hereby approved. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with policies CP1 and CP8 of the Adopted Oxford Local Plan 2001-2016, and CS18 of the Oxford Core Strategy 2026.

- 4 In respect of any proposed air conditioning, mechanical ventilation or associated plant, the applicant shall ensure that the existing noise level at this location is not increased. In order to achieve this, the plant must be designed or selected or the noise attenuated so that it is no greater than 45 dB (A) LaeqT when measured one metre from the nearest noise sensitive premises in perpetuity.

Reason: To maintain the existing noise climate and prevent ambient noise creep in the interests of residential amenities in accordance with policies CP1, CP10, CP19 and CP21 Oxford Local Plan 2001-2016.

13. INFORMATIVES

If unexpected contamination is found to be present on the application site, an appropriate specialist company and Oxford City Council should be informed and an investigation undertaken to determine the nature and extent of the contamination and any need for remediation. If topsoil material is imported to the site the developer should obtain certification from the topsoil provider to ensure that the material is appropriate for the proposed end use.

Please note that the responsibility to properly address contaminated land issues, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

14. APPENDICES

- **Appendix 1** – Block plan

15. HUMAN RIGHTS ACT 1998

- 15.1. 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.

16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

16.1. 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 approve planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.