

**To: City Executive Board**

**Date: 11 December 2013**

**Report of: Head of City Development**

**Title of Report: JERICO CANALSIDE SUPPLEMENTARY PLANNING  
DOCUMENT – ADOPTION**

### **Summary and Recommendations**

**Purpose of report:** To adopt the Jericho Canalside Supplementary Planning Document

**Key decision?**No

**Executive lead member:** Councillor Colin Cook

**Policy Framework:** The SPD will assist in the delivery of the Sites and Housing allocation policy SP7 for this site

**Recommendation(s):** That City Executive Board:

1. Adopts the Jericho Canalside Supplementary Planning Document
2. Endorse the accompanying Strategic Environmental Assessment Screening Report and the Equalities Impact Assessment
3. Authorises the Head of City Development, with the Board Member, to make any necessary editorial corrections to the document prior to final publication

Appendix 1: Final Jericho Canalside Supplementary Planning Document (with changes from the draft shown)

Appendix 2: Final Public Involvement Statement including table of changes

Appendix 3: Risk Assessment

Appendix 4: Strategic Environmental Assessment Screening Report

Appendix 5: Equalities Impact Assessment

## **Introduction and Policy Background**

1. The Jericho Canalside site has been vacant and derelict since 2007. The City Council are very keen for the site to be developed and it has been allocated in Local Plan documents for a number of years.
2. This site is possibly one of the most complicated sites in Oxford in recent times due to the variety of competing uses expected and the challenge of balancing community uses with more lucrative residential development. It is also a site which attracts huge amounts of public interest being close to the heart of many Jericho residents and Oxford canal boaters due to its heritage and location.
3. There have been two relatively recent planning applications made on the site in 2003 and 2007. Both were unacceptable to the City Council failing to comply with policy requirements and were subsequently refused. The applicants appealed these decisions but both appeals were dismissed.
4. Most recently the site was allocated under Policy SP7 in the Sites and Housing Plan adopted by Council in February 2013. This policy allocates the Jericho Canalside site for a mixed-use development. It expects the development of this site to include:
  - residential;
  - a sustainably-sized community centre;
  - public open space/square;
  - replacement appropriately sized boatyard;
  - an improved crossing over the canal for pedestrians and cyclists.
5. The majority of the site was owned by Spring Residential Ltd who went into administration in 2009. The draft Supplementary Planning Document (SPD) came at a very important time as it was on consultation in the public domain when the site was being considered for sale recently and therefore prospective purchasers would have been aware of its content and requirements. It is understood that the administrators, PriceWaterhouseCoopers, closed a sale on the site in October 2013.
6. The final SPD is clear on how the City Council want to see the site developed so that potential purchasers of the site are in no doubt what is expected. This ought to have minimised the likelihood of developers over-paying for the site and subsequently arguing non-viability in order to justify providing less than the expected requirements.
7. The SPD brings together all the information regarding previous planning applications, appeals and current policy guidance to help applicants make a successful planning application and reduce time delay to the planning process by reducing the potential for conflicts and objections.

### **Pre-production consultation (July 2013)**

8. It is important that the SPD evolves a vision for the site shared by the local community and the City Council. Officers have been liaising with local community groups to understand their aspirations. The Jericho Wharf Trust (which comprises the Jericho Community Association, Jericho Community Boat Yard Ltd, Jericho Living Heritage Trust and St Barnabas Church Parochial Church Council) have been involved throughout the production. In addition, Officers has been in contact with Oxford City Canal Partnership, College Cruisers, Worcester College and the Boaters of Oxford Action Team.
9. The City Council undertook an informal consultation drop-in event on 10 July 2013 in Jericho where views were sought from the local community on their aspirations for the site. A representative from Cordatus and PriceWaterhouseCoopers also came to the event. The comments from the public were on the whole very positive towards producing the SPD and some useful suggestions were made and incorporated.
10. Officers met with the Canal & River Trust (formerly British Waterways) to understand the issues relating to development affecting the canal and towpath and to ensure any requirements in the SPD will comply with their design requirements for the safe operation of the canal.
11. The Final Public Consultation Statement at [Appendix 2](#) provides further detail on this early stage of consultation.

### **Consultation on the Draft SPD (September/October 2013)**

12. The draft SPD was approved by CEB on 11 September 2013 and went on a formal period of public consultation for 6 weeks from 13<sup>th</sup> Sept to 25<sup>th</sup> Oct 2013. Invited to comment were:
  - Approximately 1,000 Jericho and Rewley Park residents who were notified by a City Council flyer kindly distributed by the Jericho Community Association;
  - People who responded to the July consultation event who requested further contact (30+ people);
  - People on the City Council's online consultation portal (approximately 1,400 people) and those wanting a letter (approx. 50 people);
  - 30 Statutory consultees including the Environment Agency, English Heritage and Natural England, Thames Water, Scottish and Southern Energy, District Councils and Oxfordshire County Council;
  - Landowners/Administrator: PriceWaterhouseCoopers, HSBC Ltd; Cordatus; Savills
  - Local interest groups including: Jericho Wharf Trust, Jericho Community Association, Jericho Community Boatyard Ltd, Jericho Living Heritage Trust, Parochial Church Council of St Barnabas and St Paul, Oxford Civic Society, Oxford Preservation Trust;

- Canal related organisations: Canal & River Trust, Oxford City Canal Partnership, Boats of Oxford Action Team, Residential Boat Owners' Association, The Inland Waterways Association Oxfordshire Branch;
- Heritage groups including: Oxfordshire Architectural and Historical Society, The Twentieth Century Society, Garden History Society, The Georgian Group, The Society for the Preservation of Ancient Buildings, The Ancient Monuments Society;
- Neighbouring organisations: College Cruisers, Worcester College

13. The City Council received representations from 40 individuals or organisations. Of these, only one respondent outrightly objected to the development of the site and the SPD in principle. The remainder either strongly supported the SPD, or did not object in principle but suggested some changes of detail. On the whole, responses have been extremely positive with respondents clearly pleased that the City Council has produced this SPD.

14. The main issues raised were:

*General*

- The vast majority of respondents welcomed the SPD. Compliments were made on the presentation and clarity of the SPD. One respondent was not in support of redevelopment.

*Characteristics*

- Pleased that the layout directs the most vulnerable uses to the area with lower flood risk
- Welcome the concern about trees but any trees lost should be replaced
- Essential that biodiversity maintained
- Support for the attention and respect shown to heritage

*Boatyard*

- Support for the detail on what is meant by an 'appropriately sized' boatyard
- Welcome its position at the northern end
- Unconvinced that more fuelling stations needed
- Noise could be an issue but suggestions for mitigation

*Community centre*

- Pleased with support shown for a community sensitive development
- Suggested changes to provide further information on delivery, management and what is meant by sustainably sized
- Concern that the community centre won't be large enough
- Positioned at north of square is an alternative to the south
- Multi-purpose buildings would be suitable

*Residential*

- Support for mix of dwellings including for disabled people
- About 20 dwellings is sensible
- 50% affordable housing is consistent with the heritage of a diverse and mixed community
- The housing stock should be balanced with identified need
- Should be for local people not luxury apartments
- Residential should be resisted

### *Public Square*

- Pleased with the proposed position of the square in front of the church
- Hope the square will have planting and shrubs
- The space will be enjoyed by people working locally
- An on-going management plan should be agreed

### *Bridge*

- Support for a bridge to improve cycle routes and accessible to cyclist, wheelchair users and those with prams
- A static bridge would reduce conflict between boaters and pedestrians
- A swing/lift would be beneficial and reduce tree loss
- A bridge at the southern end would provide a better link to employment areas
- A bridge positioned centrally would bring people into the square and create a vibrant area
- The existing bridge at Mount Place could be replaced
- The SPD cannot insist upon a bridge

### *Parking and access*

- Should be some parking for the boatyard and deliveries
- Opportunity to introduce a car club
- Support for path along the canal front

### *Design principles*

- Support for the design principles and Framework Plan
- Buildings should be no higher than 3 storey
- Buildings should be no higher than 2 storey
- Essential that important views should not be compromised
- Lighting would improve the safety of the area
- Question over whether dormer windows are appropriate
- The development could form a hub for the residents of Rewley Park and Jericho

### *Delivery and Implementation*

- There is little reference to the Canal & River Trust's discretionary approval
- The repeated reference to purchase price is unnecessary
- Welcome how viability has been dealt with

15. The SPD has been amended in a number of areas to reflect the comments made. A table of detailed changes noting where comments have led to changes are in the Final Public Consultation Statement at [Appendix 2](#). Copies of the full representations are also available on our website or in the St Aldate's Customer Contact Centre.

## **Summary of changes made to the draft SPD**

### Characteristics

16. Changes to this section have included the addition of some helpful historical information, clarification of what is expected to accompany a planning application, the requirement to consider opportunities for new tree planting and factual updates.

### Boatyard

17. Amendments to the boatyard section include information on land transfer, the requirement for liaison with the Jericho Community Boatyard Ltd and factual updates.

### Community Centre

18. The majority of the amendments to the SPD relate to the Community Centre. The City Council has had a number of helpful meetings with the Jericho Community Association to discuss the size and type of facilities sought and to understand the financial model which will enable the new community centre to sustain the on-going management and maintenance of the centre. These are critical changes as they will ensure that the community centre is sustainable and that developers will provide adequate space.

19. Amendments have also been made to show that the area to the north of the new public square would also be a suitable location for the new community centre provided that it occupies a position directly onto the square.

### Residential

20. This section has not been amended.

### Public square

21. This section has been amended to restrict car access to the square to prevent unauthorised parking, the requirement for an on-going management plan for the square and further detail on the exemplar architectural design expected around the square.

### Improved crossing

22. Amendments have been made to be clear that the City Council considers that an "improved crossing" does not simply relate to creating a better physical design of a bridge but also improving the position of the bridge so that it delivers an improved network for pedestrians and cyclists.

Amendments are also clear that the priority for the bridge is for the ease of movements of pedestrians and cyclists.

23. Other amendments refer to the link that Rewley Park residents could have with Jericho, matters of clarification from the Canal & River Trust, noise and the position of electrical circuits that may affect the bridge position.

### Design principles

24. Some comments were from local architects who made some helpful suggestions so some changes to this section bolster the design elements. In addition, whilst three storey buildings remain appropriate in some positions on the site, further clarification is given that the character of Jericho is of two storey buildings so any three storey buildings will be considered an exception and will be expected to be of an exemplary architectural design.

## Canal & River Trust

25. The Canal & River Trust requested some changes with regard to their position and their discretionary consent which is worth making clear for potential developers.

## Delivery and Implementation

26. Amendments are factual updates and clarifications on viability and water supply and further information on the position of the Church Council.
27. A new sub-section has been inserted to refer to the presence of the electrical circuits, how they might impact upon development and what developers are advised to do in terms of their liaison with Scottish and Southern Energy.

## **Level of risk**

28. A risk assessment has been undertaken and the risk register is attached ([Appendix 3](#)). All risks have been mitigated to an acceptable level.

## **Climate change / environmental impact**

29. Sustainability Appraisal is no longer required for SPDs under UK law, however to comply with European regulations, a Strategic Environmental Assessment (SEA) Screening Report has been produced to identify whether the SPD would have any significant environmental impacts and is available at [Appendix 4](#). The statutory consultees for the SEA (Environment Agency, English Heritage and Natural England) agreed with the conclusions of the Screening Report that no Strategic Environmental Assessment of the Jericho Canalside SPD was required. Where advice has been provided this has been incorporated within the SPD.

## **Equalities impact**

30. Consideration has been given to the public sector equality duty imposed by s149 of the Equality Act 2010. Having paid due regard to the need to meet the objectives of that duty and of the SPD the view is taken that the duty is met. An Equalities Impact Assessment is at [Appendix 5](#).

## **Financial implications**

31. The costs associated with the production of the SPD have been met through the current resources of the Planning Policy team and budget. A small part of the site is owned by the Council. By having an SPD to help deliver the site, the Council's Corporate Asset team will have greater certainty over the development likely to be supported by the Council and will be able to realise the capital value of these assets in a timely fashion subject to joint working with the landowner of the remainder of the site. For the avoidance of doubt it is noted that this is an incidental consequence. The ownership of the site was not a consideration save as is relevant to the plan making process (e.g. in connection with the likelihood of delivery).

## **Legal Implications**

32. Any person may apply to judicially review the adoption of the SPD upon adoption and must be made promptly and in any event within three

months. The level of risk of a successful judicial review is considered to be acceptably low.

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**Version number:3**