

West Area Planning Committee

11th March 2014

Application Number: 13/02558/FUL

Decision Due by: 14th January 2014

Proposal: Demolition of existing buildings, reconfiguration and expansion of existing car/coach park to provide additional surface level car parking, and construction of a single deck car park, new temporary buildings to accommodate replacement public toilets, office and workshop associated with car/coach park management, and relocated shopmobility facility, associated servicing and access arrangements together with alterations to the public highway, lighting and landscaping for a temporary period (4 years from completion of development) (further information)

Site Address: Oxpens Car And Coach Park, Oxpens Road, **Appendix 1.**

Ward: Carfax

Agent: Turley Associates

Applicant: Oxford City Council And
Westgate Oxford Alliance

Recommendation: Committee is recommended to support the proposals in principle but defer the planning application and delegate to officers the issuing of the notice of planning permission, to be simultaneous with that for planning application 13/02557/OUT for the refurbishment and extension of the Westgate Centre if that application is permitted. In the event that that application is refused planning permission, committee is recommended to delegate to officers the issuing of a notice of refusal of planning permission as the application would then be contrary to policy TR11 of the adopted Oxford Local Plan which seeks to restrict city centre public car parking, and policy CP25 of the Local Plan which permits temporary buildings and structures for clearly demonstrated short term needs only.

Reasons for Approval

- 1 The proposed development seeks to establish the principle of temporary parking arrangements with an optional coach pick up / drop off facility as part of a wider set of enabling works for the Westgate Development. The proposal would make an efficient use of an existing city centre car park to provide parking spaces and shopmobility services to overcome those displaced during the construction phase of the Westgate Development in a manner whereby both option would maintain accessibility to the city centre to an acceptable

level over the 4 year period and be acceptable in highway safety terms and crime prevention. The scope of works including the surfacing, single-deck car park, and temporary buildings would be appropriate for a temporary facility and would not adversely affect the visual amenity of the area. Furthermore they have been sited so as to make use of the existing site and not encroach upon the open space of the Oxpens Meadow. The proposal would not create any adverse flood risk, drainage issues, landscaping, ecological, land contamination, air quality, or noise impacts, and any such impacts could be successfully mitigated by appropriately worded conditions. The development would accord with the aims of the National Planning Policy Framework and the relevant policies of the Oxford local Plan 2001-2016, Oxford Core Strategy 2026, and West End Area Action Plan.

- 2 In considering the application, officers have had specific regard to the comments of third parties and statutory bodies in relation to the application. However officers consider that these comments have not raised any material considerations that would warrant refusal of the applications, and any harm identified could be successfully mitigated by appropriately worded conditions
- 3 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.

Conditions

To include the following:

- 1 Development begun within time limit
- 2 Develop in accordance with approved plans
- 3 Temporary period of 4 years
- 4 Phasing of enabling applications and reinstatement of facilities
- 5 Installation of Surface Level Deck
- 6 Park Mark Award Measures
- 7 Lighting / CCTV Scheme
- 8 Parking Management Plan
- 9 Details of Ice Rink Servicing
- 10 Construction Traffic Management Plan
- 11 Retention of pedestrian links to city centre
- 12 Details of all signage / markings for car park
- 13 Surface Water Drainage Scheme
- 14 Construction Environmental Management Plan
- 15 Landscape and Ecological Management Plan (including timeframe for completion of landscaping)
- 16 Contaminated Land Risk Assessment
- 17 Unsuspected contamination

Principal Planning 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
CP11 - Landscape Design
CP13 - Accessibility
CP20 - Lighting
CP22 - Contaminated Land
CP23 - Air Quality Management Areas
CP25 - Temporary Buildings
TR1 - Transport Assessment
TR3 - Car Parking Standards
TR6 - Powered Two-Wheelers
TR9 - Park & Ride
TR11 - City Centre Car Parking
TR14 – Servicing Arrangements
NE15 - Loss of Trees and Hedgerows
HE2 - Archaeology
SR5 - Protection of Public Open Space

Core Strategy

CS2 - Previously developed and greenfield land
CS11 - Flooding
CS12 - Biodiversity
CS13 - Supporting access to new development
CS14 - Supporting city-wide movement
CS18 - Urban design, town character, historic environment
CS19 - Community safety
CS5 - West End
CS10 - Waste and recycling

West End Area Action Plan

WE1 - Public realm
WE4 - Public Parking
WE14 - Flooding
WE20 - Mixed uses
WE25 - Visitor coaches

Other Planning Documents

National Planning Policy Framework
Oxpens Masterplan Supplementary Planning Document

Public Consultation

Statutory Consultees

- County Council: General Comments: No objection. The County Council welcome the opportunity to work with the developer and City Council to deliver an interim city centre access strategy, of which this application is an integral part while the Westgate Development is taking place. The strategy will need to include further

complementary measures (including additional car parking at other city centre sites where possible). Two options are proposed for the temporary parking provision both of which include a deck level although the transport assessment makes reference to providing the deck 'if required'. Both options can be supplemented by a temporary single-level deck if required. This will be a removable structure that will accommodate 128 spaces. The Council will support the proposals for up to 420 spaces and asks that if the deck is not provided initially that demand be monitored in order to ensure that there is sufficient parking provision on the Oxpens site. The development must be completed and operational only upon the removal of the existing multi-storey and surface car parks at Westgate and Abbey Place. To ensure that parking spaces in the city centre is no greater than currently provided.

The temporary facility must cease operation and be reinstated once the new basement car park at the Westgate is complete and operational for public use

- County Council: Highways Authority: No objection. The proposal must be seen as only part of an interim city centre access strategy including further complementary measures (including additional car parking at other city centre sites where possible). The principle of temporary parking provision on the Oxpens site is established from the site history. The temporary car park must be fully operational before parking levels are reduced at the Westgate and Abbey Place, but both sites should not be operational at the same time. Two options are proposed for the parking provision which include a deck level. There would be a preference for option 1 as this maximises car parking availability. A Framework Construction Management Plan for the three sites will be required along with a detailed Construction Traffic Management Plan for each site. Further comment is reported in the Transport section of this report.
- Thames Water Utilities Limited: No objection. Recommend that petrol / oil interceptors are fitted in all car parking facilities to prevent oil-polluted discharges entering local watercourses; and that proper provision is made for drainage of surface water with storm flows attenuated or regulated into the receiving public network.
- Natural England: The application is in close proximity to Port Meadow with Wolvercote Common & Green Site of Special Scientific Interest, and Oxford Meadows Special Area of Conservation. If the development is undertaken in strict accordance with the details submitted it is not likely to have a significant effect on the interest features of the Oxford Meadows or Port Meadow with Wolvercote Common & Green SSSI. The European Protected Species Surveys have indicated that the development it is unlikely to affect protected species such as bats. Therefore no objection would be raised. The authority should use the standing advice to assess the impact upon domestic species. The authority should consider securing measures to enhance biodiversity through measures such as bat roosting opportunities or bird boxes.____The application may provide opportunities to enhance the landscape character of the natural and built environment.
- English Heritage: The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.
- Cherwell District Council: No objection
- Vale Of White Horse DC Planning & Engineering Department: No objection
- Thames Valley Police: No objection to the proposals. However if the facility is to

retain its Park Mark status and maintain its very low crime levels then a condition should be attached which requires details of the measures that will be incorporated to secure this status

- Environment Agency: No objection to the application, subject to conditions requiring a watching brief to deal with unsuspected contamination; and a scheme for the disposal of surface water

Third Parties

136 Marlborough Road:

- Objection
- There are concerns that a new multi-storey car park should be built on Oxpens Meadow which is close to the river and under water when it rains.
- A new car park here would displace water and seriously increase the likelihood of flooding in the area as a whole.
- Given present circumstances and floods in previous recent years, this is already a frequent occurrence and serious problem.

Relevant Planning History

The site has an extensive planning history not all of which are relevant to this application. Those of most relevance to this application are listed below

00/00878/NO - Demolition of existing toilet block (to be replaced on adjoining land). Outline application (including details of access from new junction to Oxpens Road) to construct a 750 space decked public car park to provide temporary replacement parking during demolition and construction work relating to the refurbishment and redevelopment of the Westgate Shopping Centre and car park: Withdrawn

07/02272/FUL - Erection of 519 space decked car park, plus shop mobility facilities and associated highway works for temporary period of 11 months (in use for 5 months) Oxpens Recreation Ground: Approved

07/02271/FUL - Erection of 362 space decked car park plus associated highway works for temporary period of 16 months, (in use for 9 months): Approved

Officers Assessment.

Background to Proposals

1. The planning application relates to a site of approximately 1.3ha located to the south-west of the City centre. The site is bordered by Oxpens Road to the north-east; Oxpens Meadow to the south-east; vacant land owned by British Rail to the south-west; and a commercial building to the north-west. The southernmost boundary is in close proximity to the River Thames, and the site also wraps around the western, southern, and eastern sides of the Oxford Ice Rink (**Appendix 1**). The site comprises the existing Oxpens Coach and Car Park; the single storey building with basement currently used by the Lodge Nightclub; a grassed area to the south of the Oxford Ice Rink; and narrow strip of land between the Ice Rink and Oxford Meadow.

2. The existing Coach and Car Park is a 24 hour parking area accessed from the Oxpens Road and caters in the main for tourist coaches. The general car park provides 56 spaces with two pay and display machines on the Oxpens Road frontage. There is also a coach and HGV parking area which provides 34 spaces, and is used as a layover facility by tourist group operators, theatre / opera production teams, and HGV drivers. A small toilet block is also located in this space. This is separated from the general parking area and has a separate access onto the Oxpens Road. The site is located within the West End of Oxford and is covered by the West End Area Action Plan (AAP) and Oxpens Masterplan Supplementary Planning Document (SPD). The lowest part of the site is located within Flood Zone 3a.
3. The application forms part of two enabling applications, the other being for the Redbridge Park and Ride (13/02563/FUL), which are related to the outline planning application (13/02557/OUT) that has been submitted for a major retail-led mixed-use redevelopment of the Westgate Centre. These applications appear elsewhere on this agenda.
4. The proposal is seeking temporary planning permission for up to 4 years during the construction period for the Westgate development if that is permitted. The temporary facility would consist of a car park and optional coach pick-up/drop-off facility on the site of the existing Oxpens Coach and Car Park, Lodge Nightclub, and grassed area to the south of the Oxford Ice Rink. The application proposes two detailed design options for the site dependent on whether a coach pick up / drop off facility is required. These options are as follows
5. Option One: In the event of on - street coach parking being identified, the development would consist of the provision of up to 420 car parking spaces, through:
 - a surface car park providing 270 car spaces plus 22 disabled car spaces;
 - a single decked car park providing an additional 128 car spaces;
 - the demolition of the existing public toilet block;
 - temporary facilities (portacabins) including relocated shopmobility, office / workshop building and public toilet facilities; and
 - associated servicing and access arrangements together with alterations to the public highway, lighting, and landscaping.
6. Option Two: In the event that on - street coach parking is not identified:
 - 4 coach parking spaces (pick up / drop off)
 - the provision of up to 363 car spaces, through;
 - a surface car park providing 216 car spaces plus 19 disabled car spaces;
 - a single decked car park providing an additional 128 car spaces;
 - temporary facilities (portacabins) including relocated shopmobility, office / workshop building and public toilet facilities; and
 - associated servicing and access arrangements together with alterations to the public highway, lighting, and landscaping.
7. An Environmental Statement (ES) has been prepared for the Westgate Development as a whole and includes an assessment of the two 'enabling' applications at Oxpens Coach and Car Park and Redbridge Park and Ride. The

findings of the ES are reported in the main Westgate report (13/02557/OUT) which appears elsewhere on this agenda.

8. Officers consider the principal determining issues to be:

- principle of development
- temporary permission
- site layout and built forms;
- operational requirements
- transport;
- landscaping;
- flood risk and drainage;
- biodiversity; and
- sustainability

Principle of Development

9. The principle of using the Oxpens Coach and Car Park to provide temporary parking facilities during the construction phase of the Westgate redevelopment was established through the previously approved 362 space decked car park approved under reference 07/02271/FUL which supported the planning permission granted for redevelopment of the Westgate Centre itself under reference 06/01211/FUL. In the event neither proposal proceeded however.

10. The Oxpens Masterplan SPD was adopted in November 2013. It makes clear that the development of the Oxpens Coach and Car Park Site will need to be phased because of the potential need to accommodate temporary car parking to offset the parking lost during the proposed redevelopment of the Westgate.

11. The National Planning Policy Framework (NPPF) encourages the effective use of land by reusing land that has been previously developed. This is supported by Oxford Core Strategy Policy CS2. The general principle of using the existing car park to provide temporary parking facilities would accord with these objectives.

Temporary Permission

12. Oxford Local Plan Policy CP25 deals with temporary buildings and structures. It states that permission will only be granted where short term need has been clearly demonstrated, such as on sites already allocated for permanent development, buildings to house short term projects, to meet seasonal or peak demands, for urgent operational requirements, or in connection with major site development work. The proposal is required to provide a temporary car park and optional coach pick up / drop off facility for visitors and shoppers during the construction of the Westgate development as the existing parking facilities there would be lost during construction. The close proximity of the Oxpens Coach and Car Park to the City centre and its availability is considered the most sustainable option to maintain good quality access to the City Centre during the development.

13. The timeframe for the temporary arrangements would be for up to 4 years from construction of the temporary car park. In turn this would be related to the

construction programme for the Westgate development itself if that gains planning permission. The Westgate development is currently programmed to commence on site in spring 2015, for completion in Autumn 2017. In terms of phasing, it is intended that these arrangements would become operational after the coach and HGV layover facility in the other enabling application for Redbridge Park and Ride (13/02563/FUL) was completed. The site would then need to be completed and operational before the multi-storey and surface car parks at Westgate and Abbey Place are closed for demolition and redevelopment. The temporary arrangements would themselves cease and revert to their former uses once the new basement car park at the Westgate site was completed, with reinstatement at Redbridge following thereafter.

14. Officers consider that the proposed temporary arrangements at the Oxpens site represent an integral part of enabling the redevelopment of the Westgate Centre. There is a clear short-term need for these arrangements as part of operational requirements in conjunction with major site redevelopment work which would be consistent with the aims of Policy CP25. The phasing of the works and the eventual reinstatement would be secured by condition. It should be noted however that if the Westgate development were to be refused planning permission, then there is no justification for these temporary arrangements. The recommendation at the head of this report is framed accordingly.
15. On other matters, policy requirements state that permission for temporary buildings will not be granted where they would adversely affect visual attractiveness, trees, or parking provision; and would not adequately address, where appropriate, landscaping, noise insulation, access for people with disabilities, relationship to existing buildings, prejudice future developments, access points, or provide suitable external appearance. These matters are discussed below.

Site Layout and Built Forms

16. The proposed site plans set out the potential layout for both options. In both cases the existing car park would remain as a tarmac surface, and the parking area would be extended into the land to the south of the Oxford Ice Rink through the provision of permeable plastic matting. The single storey deck would cover approximately one third of the site area and be formed from structural steel sections, with galvanised steel floor plates. The deck height will measure 2.55m above ground level and there would also be a parapet fence to 3.65m above ground level. The deck would be sited adjacent to the Ice Rink and would be accessed via two ramps and stairwells. The reconfiguration would be completed by new markings and directional signage, and a total of 6 new pay and display machines, 4 at surface level, and 2 at deck level. A lighting scheme would be developed utilising existing lighting where possible and providing additional where necessary. CCTV would also be installed.
17. A number of temporary buildings would also be provided on the site. Firstly a 110m² shopmobility facility would be located in the surface level car park alongside the disabled parking spaces. A small office / workshop (45m²) and public toilet facilities (44m²) would be provided in the northernmost corner of the

site through a combination of two-storey and single-storey portacabins buildings.

18. Having reviewed the submitted plan, the overall layout has been designed to make best use of the site and enable the safe movement and turning of vehicles throughout the parking areas. The existing permanent buildings within the site are of limited architectural value and do not make a positive contribution to the visual appearance of the site and surrounding area. There would be no objection to their removal. The proposed deck and portacabins are functional structures whose appearance can be accepted given their temporary nature.

Operational Requirements

19. A Parking Management Plan has been included with the application. It states that the temporary facility, including shopmobility and the office/workshop would be maintained and managed by Oxford City Council's Parking Team.
20. Day-to-Day Operation of Parking Area: The parking area would operate on a 24 hour basis through a pay and display system with a total of 6 machines installed on site. The coach pick up / drop off area does not require pay and display machines. The site would be patrolled by enforcement staff conducting patrols approximately 4 times per day between (07:15 and 22:00 hours). The site would be covered by CCTV which would enable the occupancy of the car park to be visually monitored to potentially allow for data on the car parks capacity to be uploaded to signage on the outskirts of the city in liaison with the Oxfordshire County Council. At peak times (such as festive periods) a temporary member of staff would be allocated to assist with traffic management in the car park. The tariff structure would be identical to that currently in place at the Westgate multi-storey car park in order to encourage short term users, and discourage the use by commuters/workers. The 13 week season tickets that are currently offered at the multi-storey would no longer be offered to reflect the reduction in spaces.
21. Shopmobility: The shopmobility facility would operate between 08.00-18.00 hours (Mon-Fri) and 09.20-17.00 hours (Saturdays and Sundays) from a portacabin adjacent to the disabled spaces. The scheme would retain 8 scooters, 3 power chairs and 4 wheelchairs which cater for those users who currently utilise the scheme.
22. Public Toilets and Office: The facility would operate from the portacabins in the northernmost corner. The public toilets would be open daily between 08.00-17.00 hours. The office / workshop is required for Oxford City Council staff only. The office would also be used to store CCTV equipment.
23. Safety & Security: The Parking Management Plan makes clear that there would be an overall aim for the parking facilities to achieve the Park Mark award which is aimed at reducing both crime and the fear of crime in parking facilities. The Thames Valley Police have recommended that the facilities should be designed to obtain such an award. A CCTV system would be installed which has a digital recorder on site, and footage would be communicated to the Thames Valley Police control room in St Aldate's or Oxford City Council security monitoring system which is also visible in the Thames Valley Police control room. A 24 hour

help line would also be displayed on site.

24. A lighting system would also be developed for the site, with the site also following the Oxford City Council Parking Facilities Health & Safety Procedures with testing be carried out on a monthly basis. The parking area would have clear signage throughout to encourage wayfinding through the parking facility.
25. Having reviewed the contents of the Parking Management Plan, officers consider that the site would be managed in a consistent and comparable manner to the existing parking and shopmobility facilities, retaining the continuity of management that exists in the current multi-storey car park adapted where necessary to reflect the differences in the temporary arrangements. A condition should be attached which requires the parking management plan to be implemented before occupation, and to adopt the relevant principles to achieve the Park Mark status as recommended by the Thames Valley Police.

Transport

26. A Transport Statement (TS) has been submitted with the planning application which considers the traffic impact of the application and highway implications of transferring the layover facility within the Park and Ride site. The scope of this Transport Statement has been developed in conjunction with the Highways Authority. The existing site is currently accessed via two priority junctions onto the Oxpens Road, one of which is for cars and the other for coaches.
27. Parking Provision: The Oxford Local Plan 2001-2016 makes clear in Policy TR11 that the council will not allow any significant increase in the overall number of parking spaces within the Transport Central Area. In this case the proposed Westgate redevelopment would result in the loss of approximately 1200 spaces during construction for which temporary replacement facilities are required in order to maintain accessibility to the city centre. The arrangements take the form of two potential options, which provide up to a total of 420 spaces (Option 1) and 363 spaces (Option 2). Both options are supplemented by a temporary single-level 128 space deck which is a removable structure that can be erected in 5 days. The two options have been put forward to allow flexibility for the applicant to provide suitable accessibility to the city centre whilst also responding to the fact that Oxfordshire County Council are currently looking to secure alternative on-street coach drop-off/pick up bays within the city centre as part of an interim city centre access strategy.
28. The Highway Authority has indicated that it has a preference for Option 1 as this maximises the available car parking on site, but appreciate that this is dependent on the County Council finding alternative locations for on-street coach drop-off/pick up bays. In the event that Option 1 cannot be delivered, Option 2 is accepted as feasible and appropriate. The Highway Authority has also stated that in the event that the single level deck is not provided at the outset, parking demand should be monitored to ensure that there is sufficient parking on the Oxpens site.
29. Having reviewed the proposals and the conclusions of the TS, officers recognise

that the temporary arrangements would not replace the total number of spaces displaced by the Westgate development. However they are satisfied that the level of parking proposed in both options would enable accessibility to the city centre over the temporary period and provide flexibility for the applicant to respond to parking demand. It is acknowledged that the temporary arrangements would lead to a shortfall in available parking but the TS has identified that there is sufficient capacity within the five Park and Ride sites, (1957 spare spaces weekdays, and 2890 spaces Saturdays), to accommodate any residual demand arising from the shortfall in existing levels of city centre parking.

30. Highway Impact: In terms of traffic generation, the Highways Authority are satisfied with the methodology, baseline traffic flows and traffic generation figures contained within the TS which were agreed during pre-application discussions. The highest traffic generating option has been assessed in this instance (i.e. the proposal for up to 420 car parking spaces with no coach parking). The baseline flows have been established using traffic surveys undertaken for Westgate site and traffic generation assessed using trip rates for the existing Westgate car park which have been factored up to ensure the proposed car park is fully occupied. The TS has demonstrated that the temporary arrangements would not have a significant highway impact and that there is sufficient capacity at the car park access junction in the network peaks to accommodate the proposal.
31. Layout and Access: The proposed layout shows the parking spaces at ground level at dimensions of 5m x 2.5m with an aisle width of 6m. This would satisfy current standards. In terms of the deck, the spaces would be 4.8m x 2.4m with an aisle width of 5.6m. These dimensions are smaller than normal county standards, but are considered acceptable given the temporary nature of the deck and the evidence which has been provided by the potential supplier to demonstrate that the dimensions have worked elsewhere. The coach pick up /drop off in option 2 would provide appropriately sized spaces measuring of 15m x 2.5m with the layout enabling coaches to enter the site and exit onto Oxpens Road in a forward gear, and for the facility to be segregated from the car park as per the existing situation. A new filter lane is proposed in both options for eastbound vehicles turning right into the site from Oxpens Road. The TS has also provided swept path data for all the options to demonstrate that the vehicles can safely manoeuvre in and out of the car park.
32. Ice Rink Servicing: The proposed development would require alterations to the existing servicing arrangements for the Ice Rink, particularly where the single-deck is installed. The planning statement indicates that access for emergency and waste vehicles would need to be relocated to the frontage, and there would be sufficient space to enable these vehicles to access the front and leave in a forward gear. The staff car parking in the front is to be removed, replaced by 8 permits for the temporary car park. The waste bins would be relocated to an appropriate location, and new surfacing, bollards, cycle racks and landscaping also required. These details can be addressed through a suitably worded planning condition.

33. Having reviewed the Transport Statement, officers consider that the proposed temporary arrangements would not have an adverse impact upon accessibility to the city centre or highway safety subject to appropriate controls secured by condition.

Landscaping

34. The temporary arrangements require the removal of 4 trees from within the existing car park, and 10 trees between the car park and the area of land to the south of the Ice Rink. The belt of existing trees between the Ice Rink and the car park would be retained, along with the 3 trees on the Oxpens road frontage adjacent to the existing toilet block. The trees lost are to be replaced by an identical number in an appropriate location. Having reviewed the submitted details, officers consider that the trees to be removed within the car park are of a moderate quality only and are set within the site, so their loss would only have a moderate impact upon public views. The retention of the 3 trees adjacent to the existing toilet block on the Oxpens Road is welcomed however as they are more prominent in street views and contribute a unifying element in the street scene. Their retention would also mitigate the loss of the trees from within the site.
35. The loss of the 10 trees at the southern end of the tree belt along the eastern boundary of the car park has the potential to have an adverse impact on public views from the Oxpens Recreation Ground, River Thames and Thames Path as they currently screen the car park from these areas. This impact could be successfully mitigated by a temporary screen of planting along the eastern boundary. The use of rapid growing species such as white willow could provide immediate screening if planted at nursery stock sizes, and would be in keeping with the character of the sites proximity to the river. This planting would be secured by condition.

Flood Risk and Drainage

36. The south-eastern corner of the site is situated within Flood Zones 2 and 3a. A Flood Risk Assessment (FRA) has been submitted with the application which includes a sequential test that demonstrates that there are no other available sites in Oxford with a lower probability of flooding to reasonably accommodate the temporary parking. The FRA concludes that the permeable plastic matting proposed for the land to the south of the Oxford Ice Rink would allow surface water to percolate into the underlying subsoil, ensuring that the rate of surface water runoff is maintained. The FRA also notes that only three car parking spaces in the south-eastern corner are within the 1 in 100 year flood zone to a maximum depth of 3mm. It therefore finds that the flood risk from tidal, groundwater, pluvial and artificial sources is considered to be low.
37. Having reviewed the findings of the FRA officers consider that the proposal would not increase flood risk. The Environment Agency have raised no objection to the proposal subject to conditions securing a surface water drainage scheme, and watching brief for any unsuspected contamination.

Biodiversity

38. The application site is not within or adjacent to any statutory nature conservation designations. However the Port Meadow with Wolvercote Common & Green Site of Special Scientific Interest (SSSI) and Oxford Meadows Special Area of Conservation (SAC) is within close proximity.
39. The Environmental Statement (ES), which also relates to the planning application for the main Westgate proposal, concludes that the proposed development would not have an impact upon the special interest of these sites. The ES suggests that there may be potential for the development to have some adverse impact upon part of Oxford's Wildlife Corridor which is on the southern bank of the River Thames but that this could be successfully mitigated through a Construction Environmental Management Plan. Natural England is satisfied that the proposed development would not have an impact upon these areas of special interest provided the development is carried out in accordance with the details contained within the application.
40. An Ecological Appraisal has also been prepared which highlighted the potential for bats, nesting birds, and common invertebrates to be present on site and limited potential for common reptile species to be present within small areas of the site, along with otter, water vole, common invertebrates and fish to be present in stretches of the River Thames and Castle Mill Stream. The appraisal acknowledges that there is potential for adverse effects to occur to those habitats and other notable fauna present on or adjacent to the site during the construction phase. The provision of a Construction Environmental Management Plan would minimise these effects, although the proposal would result in some habitat loss. A Bat Survey for The Lodge has also been provided which suggests that Bats are unlikely to be using the building. Natural England is satisfied that the development is unlikely to have an impact upon protected species.
41. The ES also proposes potential biodiversity enhancements through a Landscape and Ecological Management Plan which considers scope to provide a landscaping scheme that would ensure the survival of surrounding habitats and provide opportunities for the protected BAP and other notable fauna in the long term. There would also be opportunities for the provision of bat and bird boxes, particularly in respect of the main Westgate development. Natural England has recommended that biodiversity enhancements and a landscape strategy which mitigates any ecological impact are included. Officers would support these views, whilst bearing in mind also that the Oxpens application is for a temporary period only.

Contaminated Land

42. The ES includes a section on ground conditions. The preliminary risk assessment has identified potential sources of contamination that include: potential for contaminants within the made ground; potential ground gases from the decomposition of organic material within the made ground and potential contamination within groundwater. The potential risks to identified receptors have been assessed as low to medium. It is proposed to confirm the ground

conditions with a phase 2 intrusive site investigation and a qualitative risk assessment. Having regards to the fact that the proposed development would not constitute a sensitive use and the preliminary risk assessments identify a low to medium risk, officers consider it proportionate to accept the conclusions of the report and secure the subsequent phased assessments by condition.

Other Matters

43. Archaeology: Having regards to the scope of works, the scheme is considered too small scale to have any significant archaeological implications in this location.
44. Air Quality: The ES considers the impact of the proposed development upon air quality. It concludes that the emissions from demolition and construction plant would be small in comparison to those already present from road traffic on the existing network. Furthermore the temporary parking arrangements would not result in a significant change in traffic flows along the Oxpens Road, or alter vehicles speeds on the local network and therefore the effect of the completed and operational parking on air quality would be negligible.
45. Noise & Vibration: The ES has identified that the closest noise sensitive uses to the application site would be the Oxford and Cherwell Valley College and residential properties in Trinity Street, but concludes that the proposal would not create any adverse noise impacts upon these uses.

Conclusion

46. The proposal is supportable in terms of the relevant policies of the Oxford Core Strategy 2026, Oxford Local Plan 2001-2016, and West End Area Action Plan and therefore officer's recommendation to the Members of the West Area Planning Committee is to support the planning application in accordance with the recommendation at the head 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 grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

Contact Officer: Andrew Murdoch

Extension: 2228

Date: 28th February 2014

Oxpens Coach and Car Park (13/02558/FUL)



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| Organisation | Not Set |
| Department | Not Set |
| Comments | Not Set |
| Date | 14 February 2014 |
| SLA Number | Not Set |