

**To: City Executive Board**

**Date: 9 July 2015**

**Report of: Executive Director of Regeneration and Housing**

**Title of Report: Diamond Place Development Brief Supplementary Planning Document- Adoption**

## **Summary and Recommendations**

**Purpose of report:** To adopt the Diamond Place Supplementary Planning Document

**Key decision?** No

**Executive lead member:** Councillor Alex Hollingsworth, Executive Board Member for Planning, Transport and Regulatory Services

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

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

1. Adopts the Supplementary Planning Document
2. Delegate authority to the Head of Planning and Regulatory to make any necessary editorial corrections to the document prior to publication in consultation with the Board Member

Appendix 1:	Supplementary Planning Document with tracked changes
Appendix 2:	Public Involvement Statement including summary of comments on draft, responses and proposed changes
Appendix 3:	Background Paper 1: Character Appraisal
Appendix 4:	Risk Assessment
Appendix 5:	Strategic Environmental Assessment Screening Report
Appendix 6:	Equalities Impact Assessment

## **Introduction and Policy Background**

1. The Diamond Place site includes the Summertown car park and the Ferry car park, which are both public car parks owned and managed by the City Council. They have an important role in supporting the district centre and local facilities such as the Ferry Leisure Centre. The site also includes Ewert House and its associated car park. This is owned and used by the University of Oxford for, amongst other things, examinations, courses of the Department of Continuing Education and Isis Innovation Ltd.
2. The site is in the designated district centre and offers an excellent opportunity for development. The site has been allocated in Local Plan documents for a number of years. Most recently the site was allocated under Policy SP14 of the Sites and Housing Plan, adopted by Council in February 2013. This policy allocates the Diamond Place and Ewert House site for a retail-led mixed-use development. As well as retail, other potentially suitable uses for the site are listed by the policy as being residential, employment, student accommodation and other town centre uses.
3. Because of the importance of the site to the local area and the significant potential of the site to bring benefits to the area if developed carefully, the City Council has chosen to publish a development brief in the form of a Supplementary Planning Document. It is to give further detail to existing adopted policies. It seeks to provide guidance for whoever develops the site and provide certainty for the public and developers. It should help make any planning application move smoothly through the planning process because the potential for conflicts and objections is minimised.
4. There have been three stages of consultation, most recently on the draft SPD during March and April. CEB is now asked to adopt the SPD.

## **Consultation**

5. It is important that the SPD includes a vision for the site that is shared by the local community and the City Council. Three rounds of consultation have taken place, ensuring the involvement of the local community, including the Summertown St Margaret's Neighbourhood Forum. The first consultation helped to identify options for development of the site. The second consultation asked for comments on a document that set out preferred options. Officers have been in contact with other stakeholders, including Oxfordshire County Council about highways issues, Local GPs who are interested in the potential to relocate to the site, Summer Fields School which neighbours the site and the University of Oxford who own approximately half of the site. From 27<sup>th</sup> February until 17<sup>th</sup> April we consulted on the draft SPD. The comments received are summarised in Appendix 2.
6. All comments were considered and a response is given. Some changes to the consultation draft of the SPD are proposed as a result of the comments received. Changes are proposed that add further clarification or

detail to the SPD. No significant or fundamental changes were considered necessary based on the comments received. The proposed changes are explained. The tracked changes are shown in Appendix 1 and explained in Appendix 2. As well as changes resulting from the consultation, there are also updates to the front section of Appendix 1 and some small changes relating to temporary parking. In summary, the most substantive changes are:

- New text to say it is vital that there is continued provision of community facilities in the area during construction and that during the transition period the existing community association will be supported and maintained
- Clarification that new community facilities must be available for the existing community association to run and should be equivalent to the size of the existing community centre, should include a main hall to accommodate a range of uses and be suitable for hiring out for functions
- Priority should be given to pedestrian and cyclist safety and ease of use of the Diamond Place/Banbury Road junction as well as a high quality route through the site both during construction and in the completed scheme
- The potential for there to be views out of the higher buildings on the site is highlighted
- A change to increase the flexibility of how any private residential parking spaces are provided (the total maximum should remain at the equivalent of 2-spaces per 3 bed dwellings)
- New text is added to highlight the future possibility of a connection to the Sustrans cycle route to the east of Summer Fields School's athletics track site as part of the final high quality cycle and pedestrian route through the site
- Additional text to outline the importance of internal design of the car park to promote ease of use and the perception of safety.
- Additional text to encourage electric charging points and to mention that the car club space should be re-provided, with potential for more spaces investigated
- New text about the need for toilets and recycling facilities to remain on the site
- New text to clarify that at least current cycle parking standards will apply and to reference documents containing these standards

### **Content of the SPD**

7. The SPD is informed by the public consultation, local and national planning policy, in particular SP14 of the Sites and Housing Plan, and an understanding of the site and its context. The City Council's Character Appraisal Toolkit was used to aid understanding of the site. The results of this are shown in a background paper, which is attached as Appendix 3.
8. The SPD sets out a framework for uses that could be provided on the site; access and movement into and around the site; and the design and layout of the site. An indicative block plan is included to show how the proposed

uses fit together on the site and where they will be best located, as well as the proposed routes into and around the site.

9. Some of the key expectations set out in the SPD are outlined below. The adoption version of the SPD (Appendix 1) should be referred to for full details.

### Uses

10. The SPD says that the site should include:

- approximately 1000m<sup>2</sup> of ground floor retail in more than one unit;
- Extension of the leisure centre, replacing community facilities and creating a community hub;
- a health centre. GPs at the two practices on Banbury Road wish to locate to a modern new centre;
- replacement of the existing number of public parking spaces, with additional spaces in a multi-storey car park;
- residential development with potential for some elderly persons' accommodation;
- other uses may be acceptable, including potentially new employment to replace that in Ewert House or new further education facilities.

### Access and movement

- Diamond Place forms the main access into the site, and is extended across the site to give access to Summer Fields School's site to the east of the Ferry car park;
- new development should be connected to the surrounding area, including the pedestrian access to Cherwell School;
- to include vehicle access to a potential temporary car park and future housing development on Summer Fields School's site to the east of the Ferry car park (currently the school's athletics field).

### Design and layout

11. The SPD sets out principles to be followed in the design of the development,

- ensuring a high quality public realm.
- The location of a 'town square', which would be a multi-functional space designed to appeal to all ages.
- 10% of the housing site area should be provided as public open space.

## **Level of risk**

12. A risk assessment has been undertaken and the risk register is attached (Appendix 4). All risks have been mitigated to an acceptable level.

## **Climate change / environmental impact**

13. 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. This is available at Appendix 5.

## **Equalities impact**

14. 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 in connection with the production of the SPD the view is taken that the duty is met. An Equalities Impact Assessment screening is at Appendix 6.

## **Financial implications**

15. The costs associated with the production of the SPD have been met through the current resources of the Planning Policy team and budget. Approximately half 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 as local planning authority 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).
16. There are two car parks on the site that bring revenue to the Council. In the long term, all the spaces will be replaced and there will be some additional spaces. There is a risk of some loss of revenue during construction. However, there are a number of options for providing replacement parking during construction, including a temporary car park on Summer Field School's land or a temporary deck. Until a detailed scheme is worked up and negotiations have taken place with other landowners it is impossible to say exactly what temporary parking solution will be in place, how long it will last or what implications it will have for revenue. Once revenue implications are identified they will be reported back, for example in the normal finance monitoring reports.
17. There is the potential for a judicial review. This would have financial implications as there would be a cost involved in defending against it.

## **Legal Implications**

18. Any person may apply to judicially review the adoption of the SPD upon adoption and this 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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