

## EAST AREA PLANNING COMMITTEE

04.03.2020

<b>Application number:</b>	19/03236/FUL		
<b>Decision due by</b>	11th March 2020		
<b>Extension of time</b>	None		
<b>Proposal</b>	Replacement of existing south west and north west elevations.		
<b>Site address</b>	Oxford Retail Park , Ambassador Avenue, Oxford, OX4 6XJ		
<b>Ward</b>	Blackbird Leys Ward		
<b>Case officer</b>	Clare Gray		
<b>Agent:</b>	Eric Hall	<b>Applicant:</b>	HSBC Bank Pension Trust (UK) Ltd
<b>Reason at Committee</b>	The proposal constitutes major development		

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### 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 set out in section 12 of this report and grant planning permission

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

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

### 2. EXECUTIVE SUMMARY

2.1. This report considers the visual impact of the proposal on the visual amenity of Oxford Retail Park and considers that the proposal is a sympathetic modernisation of the site, which is otherwise dated in appearance. The report also considers the highway implications of the proposal, and recommends imposing a condition regarding the submission and implementation of a construction traffic management plan.

2.2. It is recommended that the application be approved.

### 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 relates to units 1 to 5 of Oxford Retail Park, which is located south east of the Eastern By-Pass Road. The units comprise the vacant Mothercare unit as well as the other units currently occupied by M&S, Boots, Next and Sports Direct. The units front onto a carpark that serves all 5 units. Tesco food store is located to the south west of the site's boundary and is served by its own car park.

5.2. See site plan below:



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Ordnance Survey 100019348

#### 6. PROPOSAL

6.1. The application proposes to modernise and update the façade of retail units 1 to 5 as part of a programme of refurbishment. The extent of works will apply to the north west and south west elevations which relate to the public face of the buildings.

6.2. The existing external treatment of the buildings is dark and buff brick at ground level with profile cladding of neutral colour at the upper levels. Pillars break up the façade, and over each entrance to the stores, are curved canopies, with red trim.

6.3. The proposed refurbishment programme comprises the replacement of the existing faded vertical cladding with new flat panel recessed cladding; the introduction of glazing panels, particularly over the shop frontages; the removal

of outdated low level canopies and the removal of piers. The cladding is light grey in appearance and the capping to the modified piers will be in a mid grey.

6.4. The purpose of this is to refresh and update the tired appearance of the site and to create a contemporary façade of high quality that will serve the parks needs in the longer term.

6.5. There will be no alterations to the height scale and massing of the units, and no change to the building’s floorspace.

6.6. Details of any shop signage is not the subject of this application and will need a separate advertisement consent.

## 7. RELEVANT PLANNING HISTORY

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

92/00145/NO - Demolition of all existing buildings on the site. Outline application (seeking approval for means of access only) for erection of building to provide a retail foodstore (65,000 sq ft), petrol filling station, 2 restaurants (11,000 sq ft), retail warehousing (45,000 sq ft), and units for industrial and storage/distribution use (90,000 sq ft). Construction of new flyover/roundabout, including access and exit roads from site on to Eastern Bypass and new access onto Garsington Road. Approved 27th November 1992.

93/00909/NR - 4 non food retail units totalling 45,000 sq. ft & 2 restaurant units totalling 8,000 sq. ft, with service access and 261 staff & customer parking spaces & cycle parking (part reserved matters of NO-/0145/92) (amended plans). Approved 27th October 1993.

93/01307/NF - Construction of 4 non-food retail units (47,500 square feet) and two restaurants (5,500 square feet). Provision of 266 car parking spaces, service areas and site roads (revision to reserved matters of NO-/0145/92). Approved 24th February 1994.

04/00781/ADV - Four lamp post mounted illuminated signs.. Approved 17th June 2004.

## 8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Sites and Housing Plan	Emerging Local Plan
Design	12	CP1, CP8, CP9	CS18		DH1

<b>Commercial</b>	6	EC1			E1
<b>Natural environment</b>	15	NE15, NE20, NE21, NE23			G1 G2
<b>Transport</b>	9	TR1, TR2, TR3, TR4, TR5, TR6			M1 M2 M3 M4 M5
<b>Environmental</b>	15	CP19, CP20, CP21, CP22, CP23			RE1 RE2 RE3 RE4 RE6 RE7 RE8 RE9
<b>Miscellaneous</b>		CP.13 CP.24 CP.25		MP1	

## 9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 22<sup>nd</sup> January 2020 and an advertisement was published in The Oxford Times newspaper on 9th January 2020.

### **Statutory and non-statutory consultees**

Oxfordshire County Council (Highways)

9.2. No objection

Environment Agency

9.3. No objection

Natural England

9.4. No comments

Land Contamination

9.5. No comments

### **Public representations**

9.6. None were received

## 10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Highways

### **a. Design**

10.2. Policy CP1 of the Local Plan seeks to ensure that development proposals show a high standard of design that respects the character and appearance of the area and uses materials of a quality appropriate to the nature of the development. Policy CS18 of the Core Strategy states planning permission will only be granted for development that demonstrates a high quality urban design through responding appropriately to the site and its surroundings.

10.3. The refurbishment of the façade is considered to deliver a whole scale upgrade to the appearance of the site, removing outdated features and providing it with a fresher contemporary look, more befitting with the use and function of the site and of a higher quality in terms of the design and materials. These alterations are considered to be acceptable in design terms and will comply with policy CP1 of the Local Plan and CS18 of the Core Strategy and will accord with policy DH1 of the emerging Local Plan.

#### **b. Highways**

10.4. Whilst the proposal will not alter the quantum of development on site or impact upon the amount of car parking or traffic generation, Oxfordshire County Highways recommend a condition that ensures that the construction of the alterations are undertaken in a manner that will not cause hazard to other highway users. This is considered reasonable and a condition to control construction traffic is included in Section 12 of the report. The development proposal is considered to comply with adopted policies of the Local Plan, the NPPF and emerging Local Plan policies with regard to transport impacts.

### **11. CONCLUSION**

11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting position for the determination of the 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. As set out in the report, the application is considered to comply with the policies identified in the current Development Plan and emerging Local Plan. It is therefore recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions outlined below.

### **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 County 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: For the avoidance of doubt and to ensure an acceptable development as indicated in the submitted drawings in accordance with policy CP1 of the Oxford Local Plan 2001-2016 and policy CP18 of the Core Strategy 2026.

3. Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. This should identify;
  - The routing of construction vehicles;
  - Access arrangements for construction vehicles;
  - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimise the impact on the surrounding highway network)

The development shall only be carried out in accordance with the approved CTMP.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times and to accord with guidance in the NPPF

### **13. HUMAN RIGHTS ACT 1998**

- 13.1. 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.

### **14. SECTION 17 OF THE CRIME AND DISORDER ACT 1998**

- 14.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.