

APPLICATION NO.	P15/V1039/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	6.5.2015
PARISH	NORTH HINKSEY
WARD MEMBER(S)	Debby Hallett Emily Smith
APPLICANT	BAPT Ltd
SITE	Seacourt Tower Retail Park West Way Botley, OX2 0JJ
PROPOSAL	Part refurbishment and part redevelopment of existing retail park, including revised access, car parking and landscaping. Removal of existing petrol filling station to provide new retail units (A1 use), cafe/coffee shop/restaurant units within Classes A1 and A3. (Amendment to Phase 2 of permission P13/V1994/FUL)
AMENDMENTS	None
GRID REFERENCE	448763/206458
OFFICER	Shaun Wells

SUMMARY

The planning application has been called to planning committee because of an objection received from North Hinksey Parish Council and 28 objections from individuals. The proposed works are being supported by officers for the following reasons:

- The application seeks permission for Phase 2 development of the Seacourt Retail Park.
- The application is an amended proposal to that approved under 13/1994/FUL, the main change being the inclusion of three A3 type units. The previous scheme was for 10 retail units, the proposal now is for 12 retail units, although overall retail floor space within Seacourt Retail Park would remain as that previously approved at 13,522 sq.m.
- An independent review of the summary retail impact assessment submitted agreed with the findings that the A3 uses proposed would be unlikely to have significant adverse effects upon trade at Botley Centre.
- The general design proposed, access and parking, landscaping, and drainage strategy, are considered to be acceptable and in accordance with local and national planning policy.

1.0 INTRODUCTION

1.1 This application seeks planning permission for the part refurbishment and part redevelopment of the existing retail park, including revised access, car parking and landscaping. The application site is located at the junction of West Way and the A420 at Botley (see Appendix 1 location plan). Vehicular access currently is only achieved off West Way, where egress is also provided. An additional one way egress point also exists to the east onto the A420. The application is an amended proposal to that approved under 13/1994/FUL, relating to the phase 2 redevelopment of the retail park, and now includes three A3 use units. The retail park currently provides four retail units occupied by Dreams, Decathlon, Sports Direct and Homebase (see Appendix 2 Existing Site Plan).

2.0 **PROPOSAL**

2.1 Phase 1 of the development is completed and is currently occupied by Dreams, Decathlon and Sports Direct, the latter of which occupies 2 units. The Phase 2 proposal (see Appendix 3 Proposed Site Plan) would essentially relate to the reconfiguration and extension of the retail unit currently housed by Homebase, which would be divided into 7 individual units, 5 of which would be in A1 use and 2 small units in A3 use. An additional stand-alone A3 use unit is also proposed in the eastern side of the site. The proposal would provide for 8 units in phase 2, which would result in a total of 12 units within the site, and total retail floor space at the retail park of 13,522 sq.m. Phase 1 has provided 6369 sq.m floor space, and the application now under consideration for phase 2 proposes 7153 sq.m of floor space.

2.2 The previous approval for the redevelopment of the retail park did permit the same level of retail floorspace, (13,522 sq.m). The main difference from the approved scheme is an alternative configuration, the number of units have increased to 12 (previously 10) and the inclusion of three A3 use units.

2.3 The proposal would require the removal of the existing petrol station on the site, as did that under the previously approved scheme.

2.4 The existing southern vehicular access would be maintained at Westway, however a new access and reconfiguration of exit into the site is proposed off the A420 to the north east. Onsite parking proposed would provide 408 spaces, with 27 of these being disabled bays. Cages for an additional 126 cycles are proposed.

2.5 Existing screen planting to the periphery of the site would be maintained and additional grassed buffers within the hardstand parking area with new tree planting is also proposed to soften the hard landscaped parking areas.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Below is a summary of the responses received to both the original plans and the amendments. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk.

North Hinksey Parish Council	<p>When the previous application was approved there was no intention to close the nearest petrol station at the Oxpens. This is now certain to happen, so the situation has changed and the closure of the Seacourt petrol station would mean that residents will have to travel much further, leading to an unsustainable form of development.</p> <p>The recent changes to the junctions with the two arms of North Hinksey Lane and the slip road to the A34/A420 Cumnor Hill have made these more difficult and dangerous for pedestrians. The nearest controlled pedestrian crossings are far away, at the Seacourt Park and Ride and the junctions with Westminster Way. There is no good cycle access to the Seacourt Retail site, yet the developments proposed will increase the numbers of those who may wish to access the site on foot, cycle and public transport. These changes make the development less sustainable.</p>
Cumnor Parish Council –	Objection. Concerns in summary:

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	<ul style="list-style-type: none"> • Removal of the petrol station, residents will have to travel too far to alternative petrol stations • The proposed food and drink outlets would have an effect on Botley Town Centre • Concern with regard to traffic generated air pollution
Neighbours/individuals	<p>28 objections in total. Concerns in summary are:</p> <ul style="list-style-type: none"> • Loss of petrol filling station and car wash. This could mean a five mile round trip for some residents to go elsewhere and is not sustainable. Other petrol filling stations would be used (Hayford Hill, Kidlington and Abingdon). As these are supermarket sites also, shopping trade might be lost at Botley • Increased traffic implications on an already poor road layout, and increased air pollution • Lack of pedestrian crossings into site and issues of safe access • Contamination issues with removal of Petrol Station • Question need for A3 uses which already are provided for in West Way Shopping Area • Overriding previous conditions restricting A3 uses would not be appropriate • Developments in the City diminish the likelihood that new retail provision in Botley would attract trade from a non-local area in future • Loss of DIY store is not supported • Plans for West Way and the Seacourt Retail Park should be considered together • Don't need more shops in the locality, priority should be affordable housing • Bland design solution • Will take custom from Botley and Oxford Centres
Local VOWH Ward Member (Cllr Debbie Hallet)	<p>Objection. Concerns in summary:</p> <ul style="list-style-type: none"> • The 2 conditions previously restricting sale of food/beverages at the site • Loss of petrol station • Now we have NPPF, the focus is on sustainability, closure of petrol station will mean longer vehicle trips which is not sustainable • There should be a signalled controlled entry into this centre for cars, cycles and pedestrians • Food and drink uses are likely to be

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	acceptable subject to more evidence from applicant that impact on other centres would be limited
Local County Member (Cllr Janet Godden)	<p>Objection. Comments in summary:</p> <p>The removal of the petrol station would be a great inconvenience to local residents, community consultation has throughout been very clear in wishing to retain it.</p> <p>2.The entrance from West Way is awkward as it is. Inbound traffic queing at the lights by the slip road regularly back up that far. The use of the middle lane for cars turning left at the lights, across the bus lane, is not intuitive and causes hesitation by drivers unfamiliar with the layout. It can be difficult for traffic coming from the City to find a gap to turn right into the site. At the same time pedestrian access must not be endangered since the site is so close to a residential area. How will additional traffic be handled?</p> <p>3. To future generations it will seem absurd, and a colossal missed opportunity, if the Seacourt Towers site and adjacent West Way site are not now treated as a whole. When phase 1 of the Seacourt Towers site was approved the plans for West Way were in their infancy. Now in early summer 2015 they are almost in step. The many comments about supermarket customers expecting to find a petrol station seem very pertinent. As do those that the best place for a cinema in Botley, if one is really needed, would be Seacourt Towers. It cannot be too late to start thinking in this way if there is really the will to create a unifying whole.</p>
Thames Water Development Control	No objections
National Grid Protection	No objections
Environment Agency	No objections subject to conditions relating to investigation and remediation of contamination of the site.
Transport OCC	<p>No objection subject to conditions, informatives and a legal agreement to secure financial contributions :-</p> <ul style="list-style-type: none"> • Towards the cost of providing and installing a new traffic sign on Botley Road on the westbound approach to the signal junction of £3000 and • Towards the cost of monitoring a Travel Plan for the period of five years of £2040

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	<p>It is anticipated that these contributions could be secured by a Unilateral Agreement</p> <p>Condition: A framework Travel Plan to be prepared and submitted/agreed with OCC prior to first occupation</p>
Archaeology OCC	No objection
Drainage Engineer (VOWH)	No objection subject to condition that development is carried out in accordance with Drainage Strategy and Supplementary Flood Risk Assessment submitted(implemented prior to occupation).
Health & Housing - Env. Protection Team	No objection- recommend that the planning conditions relating to contaminated land and lighting from the extant permission are applied.
Countryside Officer	No objection. There are no significant ecological issues with the proposal.
Planning Policy (VOWH)	<p>Initial objection (now removed) on the following basis:-</p> <p>Concern that the development conflicts with two conditions attached to the previous application (P13/V1994/FUL) as follows:-</p> <p>Condition 4- states that “the units hereby permitted as shown on the approved plans shall not be used for the retail sale of food or drink without the prior grant of planning permission”</p> <p>Condition 5- sates that “at no time shall the site conatin more than 10 retail units, of which none shall be smaller than 465 sq m gross floor area.” The current proposal contains three unit which are smaller than 465 sq m gross floor area.</p> <p>The reason for both these conditions was “to ensure that the development does not harm the retail vitality and viability of Oxford City Centre and Botley Shopping Centre (Policy S1 of the Local Plan)</p> <p>The Policy Team therefore initially objected to the proposal on the grounds that it would be contrary to saved Policy S1 of the Local Plan which seeks to protect the viability and vitality of important retail centres including Botley Centre.</p> <p>Retail consultants at NLP were engaged by the Council to assess the impact of the A3 units upon Botley Town Centre and its redevelopment. The independent assessment found that the impact on vitality and viability would not be significant.</p>

	Planning Policy therefore have removed the objection in the light of the assessment.
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4.0 **RELEVANT PLANNING HISTORY**

4.1 [P15/V0311/FUL](#) - Approved (27/03/2015)

Proposed covered cycle stand

[P14/V0182/DIS](#) - Approved (04/03/2014)

Part refurbishment and part redevelopment of existing retail park to allow for phased implementation including revised access, car parking, landscaping and removal of existing petrol station.

Discharge condition 19 on P13/V0294/FUL

[P13/V2214/A](#) - Approved (10/12/2013)

Proposed fascia signs, roof mounted signs. Amendment to existing totem and new totem signs

[P13/V1994/FUL](#) - Approved (15/11/2013)

Variation of condition 2 of planning permission P13/V0294/FUL, for units 3 and 4.

[P13/V2094/DIS](#) - Approved (23/10/2013)

Part refurbishment and part redevelopment of existing retail park to allow for phased implementation including revised access, car parking, landscaping and removal of existing petrol station

Discharge of condition 18 relating to application P13/V0294/FUL

[P13/V2161/DIS](#) - Approved (23/10/2013)

Discharge of condition 17 relating to application P13/V0294/FUL

[P13/V1717/DIS](#) - Approved (23/08/2013)

Discharge of condition 9 of application P13/V0294/FUL.

[P13/V1558/DIS](#) - Approved (23/08/2013)

Discharge of conditions for planning permission P13/V0294/FUL

[P13/V0294/FUL](#) - Approved (23/05/2013)

Part refurbishment and part redevelopment of existing retail park to allow for phased implementation including revised access, car parking, landscaping and removal of existing petrol station.

[P12/V2620/A](#) - Approved (25/01/2013)

Erection of new fascia signage.

[P06/V0133/LDP](#) - Other Outcome (07/11/2012)

Certificate of lawfulness for proposed use or development for the insertion of a mezzanine floor.

[P10/V2046](#) - Approved (28/07/2011)

Part refurbishment and part redevelopment of existing retail park including revised access, car parking and landscaping. Removal of existing petrol filling station.

[P11/V0460/DIS](#) - Approved (21/04/2011)

Request for compliance with conditions for Application No: NHI/19996/1, Conditions 2 and 7.

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[P10/V1154/DIS](#) - Approved (30/07/2010)

Request for compliance with condition for Application No: NHI/19996 condition 4

[P10/V0671/EX](#) - Other Outcome (02/07/2010)

Application to extend the time limit of Application No: NHI/19996, for amendments to existing egress point to create an additional vehicular access from the A420 (left in, left out priority junction)

[P08/V1247/DIS](#) - Approved (03/11/2008)

Request for compliance with condition 7 for Application No. NHI/19996/1.

[P07/V1803](#) - Approved (17/04/2008)

Proposed refurbishment of existing retail park, external alterations to retail units and additional retail mezzanine floor space with minor amendments to associated parking.

[P07/V0377](#) - Approved (09/08/2007)

Amendments to existing egress point to create an additional vehicular access from the A420 (left in, left out priority junction)

[P05/V1234/A](#) - Other Outcome (04/10/2005)

Erection of free standing directional sign and replacement non illuminated roof sign.

[P94/V0273/A](#) - Approved (14/07/1994)

Display of signage.

[P87/V1002](#) - Approved (02/07/1987)

Erection of an office building and associated car parking. (Total floor space 2945m2). (Unit D).

[P81/V0099](#) - Approved (25/03/1981)

Extension to existing motor cycle showroom.

5.0 POLICY & GUIDANCE

5.1 Vale of White Horse District Council Local Plan 2011

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009.

Policy No.	Policy Title
DC1	Design
DC5	Access
DC6	Landscaping
DC8	The Provision of Infrastructure and Services
DC9	The Impact of Development on Neighbouring Uses
DC10	The Effect of Neighbouring or Previous Uses on New Development
DC12	Water quality and resources
DC14	Flood Risk and Water Run-off
S1	Proposals for New Retail Development

Emerging Local Plan 2031 – Part 1

5.2 The draft local plan part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard is to be given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the existing local plan. At present it is officers' opinion that the emerging Local Plan housing policies carry limited weight for decision making.

The relevant policies are as follows:-

Policy No.	Policy Title
Core Policy 1	Presumption in favour of sustainable development
Core Policy 7	Providing supporting infrastructure and services
Core Policy 37	Design and local distinctiveness
Core Policy 42	Flood risk

5.4 **Supplementary Planning Guidance**

Design Guide – March 2015

The following sections of the Design Guide are particularly relevant to this application:-

- *Parking (DG44-50)*
- Built Form*
- *Scale, form, massing and position (DG51-54)*
- *Boundary treatments (DG55)*
- *Building Design (DG56-62)*
- *Amenity, privacy and overlooking (DG63-64)*

National Planning Policy Framework (NPPF)- March 2012

National Planning Practice Guidance (NPPG)

Neighbourhood Plan

5.5 Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

5.6 An application has been received for a neighbourhood planning designation area but to date a neighbourhood plan has not been submitted to the Council. Consequently no weight can be given to any policies that may be emerging in any draft neighbourhood plan.

Environmental Impact

5.7 This proposal site does not exceed 5ha. Consequently the proposal is beneath the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and this proposal is not EIA development and there is no requirement under the Regulations to provide a screening opinion.

Other Relevant Legislation

- 5.8
- Planning (Listed Buildings and Conservation Areas Act) 1990
 - Community & Infrastructure Levy Legislation Human Rights Act 1998
 - Equality Act 2010
 - Section 17 of the Crime and Disorder Act 1998

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Human Rights Act

- 5.9 The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equalities

- 5.10 In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

- 6.1 The relevant planning considerations in the determination of this application are:

1. Principle of the development
2. Design and Layout
3. Residential/Neighbouring User Amenity
4. Landscaping
5. Flood Risk and Surface/Foul Drainage
6. Traffic, Parking and Highway Safety
7. Developer Contributions

The Principle of Development

- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

- 6.3 The site has no formal designation within the Local Plan, however it has long been established for retail use and Seacourt Retail Park is identified in the shopping chapter of the Local Plan as an established out of centre use. The Planning Authority have previously supported a similar proposal for phase 2 development of the site, albeit without the A3 uses and only for 10 units instead of now proposed 12. It should be noted that the previous permission (P13/V1994/FUL) restricted such uses through the imposition of the following conditions:-

- Condition 4: The units hereby permitted as shown on the approved plans shall not be used for the retail sale of food or drink without prior grant of planning permission
- Condition 5: At no time shall the site contain more than 10 retail units, of which none shall be smaller than 465 sq. m gross floor area.

- 6.4 The reason for both these conditions was “to ensure that the development does not harm the retail vitality and viability of Oxford City Centre and Botley Shopping Centre(Policy S1 of the Local Plan).”

- 6.5 Policy S1 permits new retail development or changes of use provided that they are in keeping with the scale and character of the centre or area and would not create unacceptable traffic or environmental problems.

- 6.6 Paragraph 24 of the NPPF states that Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for

main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

- 6.7 Retail Impact Assessments on previous proposals have shown that the redevelopment of the site is acceptable and meets the sequential and impact tests outlined within the NPPF. A full detailed Retail Impact Assessment was submitted with an earlier application P10/V2046, and summary RIA was submitted with application P13/V1994/FUL, both being approved by the Council. The main consideration now is the acceptability of the three A3 units which differs from previous proposals. A Summary Retail Assessment has been submitted by the applicant's which considers the additional effect of the three A3 units. This concludes that there would be no adverse impact on other shopping centres including Botley Town Centre.
- 6.8 To ascertain the planning merits behind the submitted Summary Retail Assessment Nathaniel Lichfield and Partners have been employed by the Planning Department to provide an independent critique of the Summary Retail Impact Assessment.
- 6.9 A full copy of the independent critique is attached at Appendix 4. However the key findings of the independent review are as follows:-
- There should be sufficient residual food and beverage expenditure to support the Class A3 uses within the redeveloped Botley Shopping Centre at 2020
 - The trade taken by class A3 units will also be diverted primarily from Oxford rather than Botley Shopping Centre. The impact in term of trade diversion is unlikely to be significant
 - It is unlikely that that three class A3 units at STRP will have a significant impact on demand for proposed units at Botley, to an extent where the proposal will jeopardise or delay the delivery of the development proposals at Botley.
- 6.10 Given the above findings, and in particular that any effects are unlikely to be significant upon either Botley or Oxford retail centres, it is considered on the evidence submitted and verified by the independent assessment that there is no policy conflict and as such the A3 uses as proposed are considered acceptable, as is the principle of the development.
- Design and Layout**
- 6.11 The NPPF provides that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 60). It gives considerable weight to good design and acknowledges it is a key component of sustainable development.
- 6.12 Policy DC1 of the Local Plan requires design to be of a high quality, such that the layout, scale, mass, height, detailing, materials used and its relationship to adjoining buildings and open space do not adversely affect those attributes that make a positive contribution to the character of the locality. DG51 of the Design Guide SPD advises that new development should generally reflect the scale of the existing settlement and DG52 of the Design Guide advises that form and massing should be kept simple.
- 6.13 The site layout will remain largely as existing, with the existing unit housed by Homebase reconfigured (split into 5 units) with two units added to the north. Some areas of existing walling and roofing the Homebase building would be retained but modified where necessary.
- 6.14 The existing service yard would remain and again modified to suit with the existing service vehicle access retained and unaltered. The materials, entrances, feature steel work and

design panels would match the Phase 1 development. The new external walls will be generally horizontal modular composite cladding panels set above a low level blue brick plinth. In addition, on the principal elevations facing the customer car parks buff and red brick mixes would be used. Glazed shopfronts would provide a vertical emphasis. Similar materials would be used in the stand alone A3 'pod', unit 12.

- 6.15 With regards to scale, massing and height this is largely restricted to the existing Homebase building (as some walling will be retained) at approximately 9.5 metres in height with the additional units 10 and 11 being subordinate at a slightly lower height of 7 metres.
- 6.16 In initial BREEAM assessment the development would score a 'very good' rating, and sustainable construction methods and materials would be used in the scheme (such as CFC free insulation materials, low level lighting etc.).
- 6.17 The general design proposed is considered to be acceptable and in accordance with local and national planning policy.

Residential /Neighbouring Amenity

- 6.18 Adopted local plan policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment. Protecting amenity is a core principle of the NPPF. Design principles DG63-64 of the Design Guide pertain to amenity, privacy and overlooking.
- 6.19 Given the highways bounding the site, there are no residential properties in the immediate locality. The Seacourt office building and Midland House to the South West are adequate distances away to maintain general amenity in accordance with policy DC9 of the Local Plan and DG63-64 of the Design Guide SPD.

Landscaping

- 6.20 The site is heavily screened by planting on the western side adjacent to the Southern By Pass Road (A34) and north adjacent to the Botley interchange. This planting will be retained. A concept landscape plan submitted shows that the hard surfaced parking areas would be complemented by soft landscaping to include grassed areas, low level planting, hedgerow, shrub and tree mix.
- 6.21 Several existing trees would have to be removed to achieve a safe visibility splay next to the proposed access/egress point adjacent to the A420. These trees are Category B, so are of moderate quality and have some amenity value. These are a group of 9 trees, 6 of which would be retained. On balance the removal of the trees in order to achieve safe access and egress to the site is considered acceptable as the impact on visual amenity would be limited given the retention of 6 in the group. On balance this is considered acceptable in the interests of highway safety. All other existing trees would be retained.
- 6.22 A condition to agree final landscaping detail is considered necessary as the plan submitted is a concept plan.

Flood Risk and Surface/Foul Drainage

- 6.23 The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). It states that the planning system should contribute to and enhance the natural and local environment by, amongst other things, preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution (Paragraph 109).

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- 6.24 Adopted local plan policy DC9 provides that new development will not be permitted if it would unacceptably harm the amenities of neighbouring properties or the wider environment in terms of, amongst other things, pollution and contamination. Policy DC12 provides that development will not be permitted if it would adversely affect the quality of water resources as a result of, amongst other things, waste water discharge. Policies DC13 and 14 are not considered to be consistent with the NPPF, because they do not comply with paragraphs 100 to 104 which require a sequential approach to locating development and provide that flood risk should not be increased elsewhere.
- 6.25 The Drainage Engineer (VOWH) offers no objections to the Drainage Strategy submitted, and advises a condition that development is carried out in accordance with the Drainage Strategy and Supplementary Flood Risk Assessment submitted (implemented prior to occupation). As part of the proposal a new foul drainage system will be provided within the service yards at the rear of the retail units to serve amenity blocks within the units. With regard to surface water drainage, to reduce the runoff from the retail and to improve the general performance of the entire drainage network it is proposed to limit the discharge by incorporating an area of storage within the car parking areas adjacent the retail units. Thames Water similarly offer no objections. The proposal is therefore considered to be acceptable in terms of the drainage strategy proposed and FRA, and is in compliance with planning policies set out above.

Traffic, Parking and Highway Safety

- 6.26 Adopted local plan policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. The NPPF (Paragraph 32) requires plans and decision to take account of whether:-
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

Paragraph 32 goes on to state: *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

- 6.27 Similarly to the previously approved scheme, a new vehicular access would be provided adjacent to the existing egress only point onto the A420. This is considered acceptable by Highways (OCC). The existing access and egress point on West Way would remain unaltered, so that the scheme would have two vehicular access points as opposed to the single access currently off West Way.
- 6.28 Pedestrian Access would remain unaltered from West Way directly off the existing footpath links adjacent to Seacourt Tower and Midland House to West Way and in particular to the traffic light controlled pedestrian crossings at the junction of West Way and the A420.
- 6.29 On site car parking would be arranged to provide a total of 408 spaces, located in two areas to suit the retail layout. 27 of these would be dedicated DDA compliant bays for disabled persons. The phase 2 development would also provide cycle stands for 126 cycles. Highways OCC are satisfied with this level of provision.
- 6.30 With regard to public transport, the existing retail park benefits from an existing bus service along West Way with bus stops located approximately 100m on the east side of the West Way/A420 Botley Road junction.

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- 6.31 It is not considered that the proposal would lead to severe demonstrable impacts upon the local highway network. The proposal is also considered to be acceptable in terms of Highway Safety, parking provision and the promotion of sustainable transport modes through the provision of cycle stands and requirement of an agreed Travel Plan. The proposal is therefore considered to be in general accordance with policy DC5 of the Local Plan and paragraph 32 of the NPPF.

Developer Contributions

- 6.32 The NPPF advises that planning obligations should only be sought where they meet all of the following tests (paragraph 204):
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development. Policy DC8 of the Adopted Local Plan provides that development will only be permitted where the necessary physical infrastructure and service requirements to support the development can be secured.

The following developer contributions have been requested. These contributions are considered fair and proportionate:-

- £3000 Towards the cost of providing and installing a new traffic sign on Botley Road on the westbound approach to the signal junction and
- £2040 Towards the cost of monitoring a Travel Plan for the period of five years

A unilateral undertaking is currently being prepared by the applicant to secure these funds.

7.0 PLANNING BALANCE AND CONCLUSION

- 7.1 The proposal is considered to be in general accordance with national planning policy given that it would comply with the '3 threads' within the NPPF which define sustainable development. The site is an established retail park with an *economic role* – contributing to building a strong, responsive and competitive economy. It also provides a *social role* – supporting a strong, vibrant and healthy community, and by creating a high quality built environment, with accessible local services that reflect the community's needs. The proposal would not have any significant impact upon the *environmental role* of sustainable development as it does not significantly impact upon the natural, built environment, biodiversity, would use natural resources prudently, and minimise waste and pollution (through aiming to achieve BREEAM Very Good status).
- 7.2 Retail Impact Assessments on previous proposals have shown that the redevelopment of the site is acceptable and meets the sequential and impact tests outlined within the NPPF. The main consideration therefore is the acceptability of the three A3 units which differs from previous proposals. A Summary Retail Assessment has been submitted with the application which considers the additional effect of the three A3 units. This concludes that there would be no adverse impact on other shopping centres including Botley Town Centre.
- 7.3 An independent critique of the Summary Retail Assessment, agreed with the findings that in particular that any effects of the additional A3 units are unlikely to be significant upon either Botley or Oxford retail centres. It is considered that there is unlikely to be any policy conflict and as such the A3 uses as proposed are considered acceptable, as is the principle of the development.
- 7.4 The general design proposed, access and parking, landscaping, and drainage strategy, are considered to be acceptable and in accordance with local and national planning policy.

8.0 **RECOMMENDATION**

8.1 It is recommended that authority to grant planning permission is delegated to the head of planning subject to:

1. **A S106 Unilateral Undertaking being entered into by the applicant to secure:**
 - **£3000 Towards the cost of providing and installing a new traffic sign on Botley Road on the westbound approach to the signal junction and**
 - **£2040 Towards the cost of monitoring a Travel Plan for the period of five years**
2. **Conditions as follows:**
 1. **Time limit.**
 2. **Approved plans.**
 3. **Materials to be in accordance with details already submitted.**
 4. **Limitation on retail floorspace for phase two to be 7153 sq.m including mezzanines.**
 5. **No open storage of goods or materials without prior grant of planning permission.**
 6. **Landscaping detail to be submitted and five year maintenance period.**
 7. **Framework travel plan to be prepared and submitted to Oxfordshire county council's travel plans team for approval prior to first occupation.**
 8. **New vehicular access/egress and parking areas to be constructed prior to occupation.**
 9. **Cycle stands as proposed to be constructed prior to occupation.**
 10. **Details of external lighting to be submitted, approved and implemented prior to occupation.**
 11. **Ground contamination risk assessment/site investigation scheme to be submitted and subsequent remediation strategy agreed / implemented prior to commencement of works.**
 12. **Development to be carried out in accordance with drainage strategy and supplementary flood risk assessment prepared by PCS consulting Engineers Ltd.**

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