

**Site Address: Bicester Community
Hospital, Kings End, Bicester**

12/00809/F

Ward: Bicester Town

District Councillor: Cllr D M Pickford, Cllr Mrs D Edwards

Case Officer: Linda Griffiths

Recommendation: Approval

Applicant: Kajima Mansell

Application Description: Demolition of existing community hospital and redevelopment of site to provide new community hospital and 14 residential units.

Committee Referral: Major

1. Site Description and Proposed Development

- 1.1 The application site is 0.9 hectares in size, and fronts Kings End which is one of the main vehicular access routes into Bicester. The site is bounded by Bicester Rugby Club to the south, a residential home to the east, complimentary healthcare facilities to the north and private residential properties on the western side of Kings End. The existing community hospital buildings are located at the western end of the site adjacent to Kings End whilst the eastern is currently a temporary open car park. Vehicular access to the site is currently gained either from Kings End or from Coker Close at the rear.
- 1.2 The site sits just to the south of the Bicester Conservation Area, the boundary of which runs along the northern boundary of the site along Piggy lane. The existing community hospital building which was built in 1908 and extended in 1927 becoming the Bicester Community Hospital in 1948, is locally listed. The proposal seeks to erect a new community hospital building on the eastern end of the site on the existing open car park, demolish the existing community hospital buildings and erect 14 number residential dwellings on the western part of the site. The hospital will be accessed via Coker Close and the new residential development via the existing access onto Kings End. The new community hospital will provide 12 in-patient beds, an Ambulatory Centre (includes X-Ray, Ultrasound, ECG and Visiting Mobile Scanning) out of hours service, therapies, outpatient services and first aid unit.
- 1.3 There are a number of Public Rights of Way within the vicinity of the application site, including Public Right of Way No. 129/11 which crosses the site from the south west corner to the northern boundary with Piggy lane. There is also a Public Right of Way along Piggy Lane and to the south of the site between the car park and the adjacent sports pitches. The application proposes to divert Footpath 129/11 along Kings End and up the northern end of the site to provide direct access to the hospital entrance.
- 1.4 The hospital development is two storeys in height running along a north south orientation. There are two, two storey wing elements running in an east/west direction, although it is initially proposed that these would only be constructed at single storey level but will allow expansion in the future as and when it is necessary. The hospital building is contemporary in its design but the materials chosen reflect local vernacular, being stone and render with areas of timber to create visual interest. The main entrance and public areas are heavily glazed and the pitched roof will be clad in zinc with five solar chimneys.

2. Application Publicity

- 2.1 The application has been advertised by way of three site notices and an advert in the

local press.

Eight letters of representation have been received. Full details are available electronically via the Council's web site. Two letters being received from Councillor Sibley, a local Bicester West Member, two letters from the same resident in Mallards Way and four further letters.

The material planning considerations raised as objections are as follows:-

- The original concept for the development of this site envisaged a new community hospital with care home. Object therefore to residential which is not in accordance with that vision as residential will restrict opportunities for any future expansion of the hospital.
- Site is shown on Bicester plans as a site for hospital use.
- Placing the hospital behind the proposed dwellings will destroy the proposed design impact of the hospital.
- Object to the demolition of the locally listed hospital building.
- Impact on the Conservation Area, the design of the hospital and residential are not in keeping and are totally inappropriate.
- Increased traffic along Coker Close and Piggy Lane will put pedestrians at risk.
- Increased traffic through Coker Close/Kings End junction which already suffers from congestion as a result of patients visiting local GP surgeries and other medical services in the area.
- Increased traffic to the Kings End/Oxford Road entrance generated by the residential use onto a narrow busy road.
- Proposal only replaces the existing facilities within the existing hospital and will not be adequate for future population expansions and due to constraints of the site, cannot be expanded further in the future.
- The Kingsmere development site would meet the needs of an ever expanding town, and was supported by a petition submitted to CDC on behalf of Bicester residents and SOCH hospital campaigners in October 2010. This location is convenient and readily accessible to the town.
- The residential properties proposed are modern in appearance and completely out of character with the rest of the buildings.
- Erecting the hospital on the Kingsmere Development would enable this entire site to be redeveloped for housing.
- Area is in the flood plain and the suggested dwellings will be unable to have any gardens.
- No account appears to have been taken of the traffic generated by other planned developments such as the town centre, eco-town, Kingsmere and Bicester Village.

3. Consultations

- 3.1 Bicester Town Council has no objections to this application and welcomes the provision of a new community hospital. However the town council would seek reassurance that the parking facilities are managed to ensure use is restricted to those people attending/using/working at the hospital.

The Town Council further requests that consideration be given to the preservation of the locally listed buildings by means of conversion to accommodation.

- 3.2 Environment Agency has no objection subject to the inclusion of a number of conditions.

- 3.3 Oxfordshire County Council Highways has no objection in principle but has a number of concerns as follows which will require amended plans and further discussions. Until these issues are resolved a 'holding objection' is recommended:-

- Parking provision for the residential properties is insufficient, thereby creating internal parking problems which may spill out onto the public highway causing safety issues.
- Alignment of the vehicular access servicing the residential element should be straighter to enable vehicles to pass one another
- Visitor parking is inappropriately located and has restricted vision when reversing out of vehicles entering and leaving the site
- Refuse tracking must be amended to avoid overriding.
- The parking provision for plots 1-6 is rather remote from those properties.
- Construction Traffic Management Plan must ensure construction/HGV movements are outside peak times.
- Should permission be forthcoming a number of conditions are also recommended.
- Section 106 contributions towards transport infrastructure and amendments to the existing TRO on Kings End to remove a couple of parking bays to improve visibility.
- Tracking for the hospital is not acceptable.

Further to the above, revised plans and information have now been received which seek to overcome these concerns. Final comments are awaited and will be reported verbally at Committee.

- 3.4 Oxfordshire County Council Drainage – Comments awaited

- 3.5 Oxfordshire County Council Footpaths has no objection in principle. The new route appears reasonable, although some concerns about refuse vehicles reversing out over Piggy Lane.

- 3.6 Oxfordshire County Council Archaeology advise that the site lies in an area of archaeological potential which has been summarised in a Desk Based Assessment submitted with the application. A condition is therefore recommended ensuring the implementation of an archaeological monitoring and recording action (watching brief) to be maintained during the period of construction.

- 3.7 Thames Water have no objection
- 3.8 Thames Valley Police advise that recommendations made to the applicant at the pre-planning stage have been incorporated within the design and layout.
- 3.9 Oxfordshire County Council Developer Funding wishes to secure a legal agreement for appropriate financial contributions to mitigate the effects of this development if implemented.
- 3.10 Cherwell District Council Ecology raises no objections. The ecological report found no evidence that any of the buildings on site are used by bats, and given their nature and location are unlikely to be so in future. However 2 conditions should be imposed relating to no demolition to commence until a check for the presence of bats has been carried out by a suitably qualified consultant and no demolition between March and August to ensure nesting birds are not harmed.
- 3.11 Cherwell District Council Countryside and Communities Manager advises that this application affects a public right of way (Bicester FP11). If granted FP11 will need to be diverted to enable the scheme. Given the constraints of the scheme and the ready availability of alternative pedestrian access, it is recommended that the proposed diversion route is suitable and does not prejudice public rights.
- 3.12 Cherwell District Council Anti-Social Behaviour Manager raises no objections in terms of the noise and lighting assessments submitted.
- 3.13 Cherwell District Council Landscape Services Manager raises concerns in respect of:-
- Proximity to the trees fronting Kings End in terms of shading of the dwellings and impact of construction in the tree root plates.
 - Excavations and impact of proposed retaining wall under the canopy of the tree in the northern corner of the site.
 - Visitor parking bays adjacent to the access encroach into the root plates of the adjacent tree.
 - Fencing to the rear boundaries should be screened with planting
 - Further details are required of the proposed sunken garden and gym equipment areas proposed for the hospital development.
 - Screen planting under the trees to the Kings End frontage is not appropriate.
 - Native shrub mix should not include Prunus Avium and Fraxinus Excelsior because these species can grow into large trees that will cause damage to building foundations and surface with their spreading roots.

Revised plans have been received which seek to overcome the above concerns. Final comments are awaited and will be reported verbally at Committee.

- 3.14 Cherwell District Council Arboricultural Officer objects to the original submission due to the increasing pressures placed upon the existing mature trees along the Kings End frontage which are considered to be a great amenity value and their future replacements by the unavoidable nuisance issues and perceived fears of residents due to the proximity of plots 8-14. Should consent be granted, a number of conditions are recommended.
- Revised plans and documentation have been received which seek to overcome the objections. Final comments are awaited and will be reported verbally at Committee.

3.15 Cherwell District Council Conservation Officer advises that:-

Bicester Cottage Hospital is a locally listed building which is of local significance because of the contribution it made to the life in Bicester. The building whilst not great architecture, is of its time and falls into the style of other 'public' buildings.

The application as submitted does not investigate in any depth the option of retaining and converting the existing building, and there has been no assessment of the environmental impact of retention and improvement of thermal performance versus demolition and redevelopment of the site. The historic role of the Bicester Cottage Hospital has played in the town should perhaps be recorded as public art.

A number of conditions are also recommended should permission be granted'.

3.16 Cherwell District Council Environmental Protection Officer – Comments awaited.

3.17 Cherwell District Council Waste and Recycling raise no objections in respect of the residential scheme. Cherwell District Council will not be responsible for the hospital refuse..

4. Relevant National and Local Policy and Guidance

4.1 **National Planning Policy Framework 2012** – Core planning principles and the delivery of sustainable development with particular regard to the following sections:-

- 4: Promoting sustainable transport
- 6: Delivering a wide choice of high quality homes.
- 7: Requiring good design
- 8: Promoting healthy communities
- 10: Meeting the challenge of climate change, flooding and coastal change.
- 11: Conserving and enhancing the natural environment.
- 12: Conserving and enhancing the historic environment

4.2 **South East Plan 2009** – Cross cutting policies:

- CC1: Sustainable development
- CC2: Climate change
- CC4: Sustainable design and construction
- CC5: Supporting an ageing population.
- CC6: Sustainable communities and character of the environment.
- CC7: Infrastructure and implementation.

Housing Policies

- H1: Regional Housing Provision 2006-2026
- H3: Affordable Housing
- H4: Type and size of new housing
- H5: Housing design and density

Transport Policies

- T1: Manage and invest
- T4: Parking

National Resource Management Policies

- NRM5: Conservation and Improvement of Biodiversity
- NRM10: Noise
- NRM11: Development design for energy efficiency and renewable energy

Management of the Built Environment Policies

- BE1: Management for an urban renaissance
- BE4: The role of small rural towns
- BE6: Management of the historic environment

Social and Community Infrastructure Policies

- S1: Supporting healthy communities
- S2: Promoting sustainable health services

4.3 Adopted Cherwell Local Plan 1996 – Saved Policies

- H5: Affordable Housing
- H21: Conversion of buildings
- TR21: Transportation Funding
- R12: Public Open Space Provision
- C1: Nature Conservation
- C2: Protected species
- C28: Design and layout
- C30: Design Control
- ENV12: Contaminated Land

4.4 Non-Statutory Cherwell Local Plan 2011

The Non-Statutory Cherwell Local Plan is not part of the statutory development plan but has been approved as interim planning policy for development control purposes and remains to be a material consideration.

Housing Policies:	H1a, H3, H4, H7, H11
Transport:	TR1, TR3, TR5, TR8, TR9, TR11
Recreation and Community Facilities	R4, R8, R9, R10a
Conserving and Enhancing the Environment:	EN1, EN7, ENN17, EN23, EN24, EN25, ENN40, EN45a
Urban Design and the Built Environment:	D5, D9

- 4.5 Draft Cherwell Local Plan 2012** – This was approved by the Executive for public consultation on 28 May 2012 and went out to public consultation on 28 August 2012. At present the plan carries very little weight. However, in order to meet the challenge of building a sustainable community in Bicester the local plan identifies the need for an improved community hospital through Policy BSC8.

5. Appraisal

5.1 Planning History and Background

There is a very long planning history associated with this site. Most relevant to this is an application submitted in 2003 for the construction of a new 30 bed community hospital on the existing hospital site with associated facilities including administration headquarters. (03/01286/OUT) refers. The application was approved but the

consent was not implemented and has therefore now lapsed.

5.2 Planning consent was also granted at appeal for a new hospital, ambulance station and other facilities on the Oxford Road close to the Middleton Stoney Road junction. This site is now part of the Kingsmere, S.W. Bicester development and provision has been made as part of that consent for the provision of a health village of 2.69 ha to include a site reserved for a community hospital, GP surgery and provision for a nursing home for the elderly.

5.3 The Oxfordshire PCT has been for some time pursuing the re-provision of Bicester Community Hospital to provide up-to-date and modern facilities, capable of delivering 21st Century healthcare in line with national and local priorities, whilst still continuing to provide the range of services currently provided by the hospital. The existing Bicester Hospital site at Kings end is owned by NHS Oxfordshire and is considered to be outdated and not fit for purpose.

5.4 The District Council has for many years expressed a strong preference for the new Bicester Community Hospital to be located on the health village site within the S.W. Bicester development considering that it offered the best opportunity for future expansion of healthcare services for a growing town, and the health village concept has the potential to provide complimentary adjacent healthcare services, however, the PCT has ruled this site out and are therefore now seeking consent for the redevelopment of the existing hospital site. The executive considered this latest position regarding the procurement by Oxfordshire PCT at their meeting in October 2011, and resolved to support this approach for the redevelopment of the existing site.

5.5 **Key Issues**

The application stands to be assessed against the following key issues:

- Principle of development and policy context
- Transport Impact
- Trees
- Design and visual impact
- Rights of Way
- Heritage Assets
- Noise
- Archaeology
- Ecology
- Land Contamination
- Planning Obligation and Viability
- Conclusion

5.6 **Principle of Development and Policy Context**

The main theme at the heart of the NPPF 2012 is a presumption in favour of sustainable development, approving development proposals which accord with the development plan without delay, and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development be restricted.

5.7 The NPPF indicates that the Adopted Cherwell Local Plan 1996 is considered to be out of date as it was adopted prior to 2004, however it also advises that due weight should also be given to relevant policies within existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies

in the Framework, the greater the weight that may be given). The Adopted Cherwell Local Plan does not contain any specific policies relating to the retention of redevelopment of this site for a community hospital, but contains a number of saved policies which are relevant to the consideration of this proposal.

- 5.8 The South East Plan 2009 is the regional spatial strategy for the South East Region and remains part of the Development Plan. Whilst this plan does not contain site specific policies, it sets out the policy framework for the region identifying the scale and distribution of new housing, priorities for new infrastructure and economic development, ensuring all new development is sustainable, promoting sustainable health services, and strategies for the protection of biodiversity and the built and historic environment and for tackling climate change.
- 5.9 In May 2012 the Executive, approved with some amendments, the proposed submission draft of the Cherwell Local Plan. This document replaces the earlier Draft Core Strategy and the non-statutory Cherwell Local Plan and when adopted will set out broadly how the District will grow and change in the period up to 2031, setting out the spatial vision for the District and policies to help deliver that vision. The plan is built around three main themes; securing economic development, building communities and ensuring that development is sustainable. The Plan went out to public consultation on 28 August 2012.
- 5.1.1 Whilst this Plan is of very limited weight, it does seek to indicate how the District is likely to develop and grow, and advises that the District Council will continue to work closely with the healthcare providers, partners and NHS across its delivery bodies to:
- Ensure the provision of additional and reconfigures health and social care facilities.
 - Identify the anticipated primary care needs of local communities.
 - Identify the capacity needs of local communities, and
 - Meet the healthcare requirements of local communities.

Policy BSC8: Securing Health and Well-Being states that the Council will support the provision of health facilities in sustainable locations which contribute towards health and well-being including the replacement of the Bicester Community Hospital.

5.1.2 **Transport Impact**

The proposed redevelopment of the Bicester Community Hospital site is to include a new community hospital with 12 in-patient beds, an Ambulatory Centre (includes X-Ray, Ultrasound, ECG and Visiting Mobile Scanning), out of hours service, Therapies, Outpatient Services and First Aid Centre, all served via the sites existing vehicle access via Coker Close. In addition to the new hospital, 14 new residential dwellings (12 houses, 2 flats) are proposed and these are to be served via the existing vehicle access, directly off Kings End

- 5.1.3 The application as submitted was accompanied by a Transport Assessment which has been done by WSP on behalf of the applicants. Manual classified turning counts and queue length surveys were completed in May 2012 have been used to assess the volume of traffic on the local highway network surrounding Bicester Community Hospital. These surveys were completed between the peak hours of 07:00 to 10:00 and 14:00 to 19:00 at the following junctions:-
- Kings End Site Access Junction
 - Piggy Lane Site Access Junction
 - Kings end/Queens Avenue Priority Junction
 - Kings end/Coker Close Priority Junction, and

➤ Kings End/Middleton Stoney Road Mini-Roundabout

- 5.1.4 Further to this a survey was also taken on the existing car park to assess the number of hospital and non-hospital users. The results of this survey indicated that the majority of vehicles using this car park were not actually related to the hospital. Personal Injury Accident Data was also obtained from OCC for the latest three year period for a study area of approximately 1km of the application site.
- 5.1.5 Vehicular access to the new hospital will be from Coker Close and Piggy Lane via a new 6.1m wide entrance in the same location as the existing entrance. This will provide adequate width for two-way traffic whilst providing a more formal access than at present. The main pedestrian access will be directly opposite the junction with Coker Close and a footpath will also link this entrance to Kings End. Cycle stands will be provided in front of the main hospital entrance for visitors and for staff towards the rear of the staff car park.
- 5.1.6 The proposed new hospital will continue to use the existing hospital's access arrangements via the Kings End and Coker Close junction. The Highway Authority state that visibility at this junction meets the required design standards, however visibility is obstructed on occasions due to parked cars within the allocated spaces provided along Kings end. The Highway Authority therefore advise that to reduce the amount of allocated on-street parking at this junction would improve visibility and therefore provide a highway safety benefit. This would be achieved by amending the existing TRO and removing a couple of bays.
- 5.1.7 In response to the TRO amendment however, the applicants consider that the Transport Statement demonstrates that the hospital development will not significantly increase traffic at this junction and therefore this requirement is not justified.
- 5.1.8 Vehicle and pedestrian/cycle access to the proposed housing will be via Kings end. The existing access point will be retained. Vision splays of 2.4m x 43m is achievable at this access for vehicles exiting the site.
- 5.1.9 A total of 47 car parking spaces will be provided for staff and patient use as part of the hospital redevelopment, on the basis of 24 staff spaces and 23 patient/visitor spaces. A car parking management plan has been proposed to manage car park demand from staff and to ensure that patient/visitor spaces are not used by those not related to the hospital. This management plan will form an integrated part of the Trust's travel plan. The proposals show a barrier controlled staff parking area and an open patient/visitor parking area.
- 5.2.1 Trip generation from the hospital has been based upon information provided by the Trust on future staff levels, shift patterns, available appointment times and patient attendances. The Traffic Assessment concludes that the traffic generated by the development on an already congested local highway network is not significant. The NPPF at paragraph 32 states that:

“All developments that generate significant amounts of movements should be supported by a Transport Statement or Transport Assessment. Plans and decisions should 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. Development should only be prevented or refused on transport grounds where the

residual cumulative impacts of development are severe”.

- 5.2.2 The submitted Transport Assessment demonstrates that the surrounding junctions to the hospital and the residential development will continue to operate within their design capacity, that is, consideration has to be given to the site's existing lane use from the existing hospital. It is accepted that with the permitted/committed developments and expected future growth of Bicester that some of these surrounding junctions will come under pressure, but not as a direct impact of the additional movements from the submitted application, although there will be a minor impact which will trigger a financial contribution towards the Transport Strategy for Bicester.
- 5.2.3 The Highway Authority accept the findings of the Transport Assessment, and by managing the staff car parking and through the terms of the Travel Plan seeks to reduce the traffic generated by staff. Furthermore, the site is in a highly sustainable location, within walking distance of the town centre and is well served by bus routes into the town and from the railway station. The provision of covered cycle parking also seeks to encourage patients and visitors to cycle. It is considered therefore that the proposal accords with the NPPF above.
- 5.2.4 In terms of parking provision for the residential scheme, the Highway Authority advised initially that the car parking levels provided were insufficient which could lead to internal parking issues. The application proposal has since been amended and the number and provision of car parking spaces for the residential scheme have been increased to provide one space per two bed property and two spaces per three bed property plus two visitor parking spaces. Having regard to the proximity of this site to the town centre and access to public transport, this is now considered acceptable to the highway authority, and therefore accords with the NPPF and Development Plan Policies in respect of car parking provision.
- 5.2.5 As part of the submitted Transport Assessment (May 2012), a series of tracking plans were included. Concerns were raised by the Highway Authority in respect of the tracking plans for the MRI scanner and refuse vehicles in respect of the new hospital proposal. Following discussions with the applicants and their agents Method Statements have been produced detailing how these two operations will be undertaken. Revised tracking plans have also been submitted.
- 5.2.6 It is proposed that the MRI scanner will be delivered and collected from site out of core hospital hours to minimise disturbance. To enable manoeuvring the scanner into the car park safely, a dropped kerb will be added to the existing footpath on Piggy Lane to allow for over-run. This has been agreed with the Highway Authority. The refuse collection will be controlled by a Waste Management Agreement. It is proposed that the refuse vehicle will stop at the top of the site and waste containers collected and returned to the same compound. Again it is proposed that this will occur outside of core hospital hours, and seeks to overcome the concerns raised in respect of refuse vehicles reversing into the car park.
- 5.2.7 **Trees**
- There is a line of high quality mature trees, consisting of lime, beech, horse chestnut and yew along the frontage of the site with Kings End. These trees are considered to be of high amenity value and must be retained and protected throughout the development.
- 5.2.8 Two Tree Preservation Orders were recently raised in respect of these trees. These provisional TPO's will continue in force until it has been confirmed. Elsewhere on the site, there are no trees of any particular landscape or conservation importance, a number of these will be removed to facilitate the development, but their removal is mitigated by further landscaping. In terms of the proposals therefore the hospital

building has no impact on any significant trees of note, but the residential scheme on the frontage must be designed to ensure that these TPO trees are not affected or lost by the development.

- 5.2.9 The application is accompanied by a Tree Survey and a Tree Protection Plan containing details regarding tree protection in accordance with B.S.5837:2012. The assessment of all trees on site indicates the most valued and prominent trees to be the linear group parallel to Kings End. Whilst it is technically possible to construct the development as shown without significant damage to these trees concerns have been raised by the Council's Arboriculturalist in respect of the potential influences of excessive shading and reduced light levels to the residential properties and therefore the likely pressure that will be placed on these trees in the future by residents in terms of lopping, topping or removal. Following negotiations with the applicants, the dwellings on Plots 8-12 have been moved 800mm further back into the site, and design features have been incorporated within the properties, such as self cleaning glazing to the windows and guards over the guttering to stop leaf fall to help mitigate these concerns. The houses have also been designed to ensure that habitable rooms are located at the rear.

5.3.1 **Archaeology**

The application site lies in an area of archaeological potential which has been summarised in a Desk Based Assessment submitted with this application.

- 5.3.2 To the north is the site of Kings End Shrunken Settlement which may date back to the 12th/13th Century, associated with the Grange of Markgate Mins. Immediately to the south west of the proposed site, a large area was investigated in May 2002 through geophysical survey and archaeological evaluation by Oxford Archaeology which identified an area of Roman activity possibly relating to a farmstead. Evidence of late Iron Age and Anglo Saxon activity was also found. An evaluation was undertaken on the eastern side of the site itself which recorded a ditch, possibly of Roman date, which runs across the proposed site roughly east-west. This may relate to the possible Roman farmstead known to the south west of the proposed site. It is likely that further archaeological deposits will be disturbed during ground works of the proposed development.

Having regard to the above, conditions are suggested to ensure that the applicant is responsible for ensuring the implementation of an archaeological monitoring and watching brief be maintained throughout construction, in accordance with guidance in the NPPF.

- 5.3.3 The Hedgerows Regulations 1997 make provision for the protection of hedgerows considered to be of landscape and/or historical and natural history importance. The Regulations state that a hedgerow can be considered to be 'important' if it meets certain criteria as defined in Schedule 1, Part II of the regulations. The hedgerow in question is depicted on the 1753 map of the Two Manors of Bicester and therefore qualify as integral parts of a pre-1845 enclosure field system and thus meet this criteria. The Council's arboriculturalist has inspected this section of hedgerow which is proposed to be removed as part of this development and concluded that it was not of significant value and therefore should not act as a constraint to the development on the site.

5.3.4 **Rights of Way**

A registered footpath (Bicester Footpath No. 129/11) crosses the site running approximately north to south. As part of the application it is proposed to divert this footpath so that it runs along Kings end and then follows an easterly direction via a new access within the existing wall onto Kings End linking up with the front of the new

hospital building. An application for a public footpath order (Section 257, Town and Country Planning Act 1990) to divert this footpath has been submitted in conjunction with this application for the Council's consideration. The applicants argue that the newly diverted footpath would improve the pedestrian experience as it is specifically designed for pedestrian use, segregating them from vehicular traffic. The path is paved for its entirety with signage to assist the pedestrian and lighting to increase pedestrian safety. New residential houses facing onto the footpath will provide natural surveillance of the footpath.

5.3.5 Policy R4 of the Non-Statutory Cherwell Local Plan states:

'The Council will safeguard and, where possible, enhance the existing public rights of way network. Development over public rights of way will not be permitted unless a suitable diversion can be secured which will not prejudice public rights'.

5.3.6 The explanatory text goes on to say that in certain circumstances where an alternative route is available which will not prejudice public rights, the Council may be prepared to grant planning consent and make a Public Path Order to enable the development to be implemented. A diversion will not be considered suitable if it is substantially less convenient to the public, or would be detrimental to the public enjoyment of the route.

5.3.7 The District Council's Countryside and Communities Manager states that if consent is granted, he is satisfied that Bicester FP11 will need to be diverted to enable the scheme. Given the constraints of the scheme, and the ready availability of alternative pedestrian access in the area, it is considered that the proposed diversion route (outlined on Plan 025C 'Public rights of Way Completion') is suitable and does not prejudice public rights. The applicant has submitted a PPO application in parallel with this application.

5.3.8 The County Council's Rights of Way Officer advises that the proposed new route appears reasonable on the basis that the area already has a good network of paths in the area and the realignment of the proposed public right of way route is not considered undesirable. However a diversion under Section 257 of the Town and Country Planning Act 1990 is likely to attract objections and the applicants will need to provide robust information as to why they have not attempted to provide a route closer to the original one. Associated footpath signage changes will be required if the footpath diversion is successful.

5.3.9 The Ramblers Association and Oxford Fieldpath Society have been consulted on the application, but to date no comments or representations have been received.

5.4.1 It should be noted that if this application is approved, the affected public right of way will need to be diverted and if an objection is received it could lead to an Inquiry. If the new route is not approved, further consideration would need to be given to retaining it along its existing route, which would pass through the rear garden of house plot 14, the rear car parking area for the residential development and across the front of the hospital building out onto Piggy Lane.

5.4.2 There are also public rights of way passing adjacent to the site along its southern boundary with the sports fields and directly to its northern boundary along Piggy Lane.

5.4.3 In terms of the length of footpath along Piggy lane, as the current use of the site is as a hospital, and vehicular access to the car park is currently gained via Coker Close and Piggy Lane; and the change in traffic movements are not shown by the Traffic

Assessment to be considerable, it is considered that any impact upon the right of way along Piggy Lane will not be so significant to justify refusal of the proposal on pedestrian safety grounds. As such the proposal is unlikely to cause significant harm to the amenity and safety of this public footpath and is therefore considered to be in accordance with Government Guidance contained within the NPPF, Policy R4 of the Non-Statutory Cherwell Local Plan and Policy ESD 18 of the Draft Cherwell Local Plan 2012.

5.4.4 **Ecology**

Section 11 of the NPPF – conserving and enhancing the natural environment requires that ‘the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity’

5.4.5 An ecological baseline survey of the site was carried out in February 2010. The District Council’s ecologist has advised that this survey remains relevant in the determination of this application due to the urban nature of the site and its usage as a hospital with large extents of hard standing and mown grass, and therefore it is unlikely that site conditions will have changed to any great extent over the last two years.

5.4.6 The report concludes that large parts of the site consist of closely mown grassland areas, which are of low value containing species typically tolerant of regular mowing and it is therefore unlikely that these areas would exhibit any species diversity even if they were surveyed during May to August. The hedgerow on the south-western boundary provides limited habitat for nesting birds, as do the small isolated scrub patches in other parts of the site. The mature native trees on the western boundary of the site are features of significant value and are recommended for retention but they currently do not contain cavities suitable for roosting bats. The main building was searched for evidence of roosting bats but none was found. Access conditions were good and the roof void is not lined internally meaning that despite many loose or missing tiles on the exterior, there are no concealed areas, which could not be searched on the interior. It was also noted that external lighting at night would also be likely to deter bats. Neither was any evidence found of the presence of badgers in the form of setts, latrines, pathways and foraging activity.

5.4.7 Having regard to the above, it is not considered that the proposal will result in significant harm to ecology and the proposal therefore complies with Government Guidance within the NPPF, Policy NRMM5 of the South East Plan 2009 and Policies C1 and C2 of the adopted Cherwell Local Plan 1996.

5.4.8 **Heritage Assets**

Although not statutorily listed as a listed building or designated heritage asset, the existing Bicester Community Hospital is identified by the District Council as a ‘locally listed building’ of merit and historic importance to the town of Bicester. The building which is constructed of red brick under a tiled roof was originally constructed in 1908 as a nursing home. A two bay extension was added in 1927 to provide an additional ward and nurses room, and the hospital then remained in this configuration until the 1950’s. More recently the hospital has been further extended by a series of single storey structures and temporary portacabin type buildings. The building is outside the Bicester Conservation Area. The original building remains very much in tact, despite the unsympathetic extensions, and windows and doors which have been inserted. Should the building be retained the windows and doors can be replaced with more sympathetic replacements. As it was originally constructed as a nursing home, internally the building is domestic in its character, scale and form.

5.4.9 Section 12 of the NPPF – Conserving and enhancing the historic environment recognises that heritage assets, which includes locally listed buildings as identified by the local planning authority, are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance.

5.5.1 Paragraph 128 states that:

‘in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting’

Paragraph 131 also states that:

‘in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality, and
- The desirability of new development making a positive contribution to local character and distinctiveness’

Paragraph 135:

‘the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that effect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.5.2 Paragraph 141 requires developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

5.5.3 The adopted Cherwell Local Plan does not contain any policies relating to locally listed buildings and is therefore considered to be out of date in this respect by the NPPF and the above mentioned advice within the NPPF carries greater weight in this instance. Policy EN45A of the Non-Statutory Cherwell Local Plan states that the inclusion of a building in a local list of buildings will be a material consideration in the determination of planning applications that would affect it.

5.5.4 The existing community hospital building is not within the Bicester Conservation Area, the boundary of which runs along Piggy Lane to the north. When designating Conservation Areas, a local planning authority must ensure that its designation is justified because of its special architectural or historic interest. With the exception of the original hospital building, the site and the adjacent car park is of no special architectural or historic interest and was therefore excluded from the Conservation Area. However, many buildings within the District which are not listed in their own right or afforded protection through the Conservation Area designation are considered to be of historical importance and worthy of some protection. The original Bicester hospital building is one such building and is included within the Council’s list of locally listed buildings being considered to be important because of its historical association

with the town of Bicester as a cottage hospital.

- 5.5.5 The current hospital building is no longer fit for purpose, so the proposal seeks to erect the new modern facility on the eastern end of the site, to ensure continuity of provision. The existing hospital facility will be closed once the new hospital is open. During pre-application discussions the applicants were advised that as the existing hospital building is locally listed, consideration must be given to its retention within the development proposal, and if its demolition was to be considered acceptable, a robust argument must be made for not doing so. A heritage asset impact statement was therefore included within the submission. As submitted it is considered that it had not fully addressed all the issues and failed to fully acknowledge the importance of the building locally, both in terms of its architectural merit and its social importance.
- 5.5.6 Whilst it is acknowledged that the provision of a new community hospital is of substantial benefit, a full and reasoned justification as required by the NPPF must be made as to why the existing building cannot be retained and why new build is the only option, as such conversions can provide bespoke contemporary residences within a traditional building of merit which sets it apart from other modern developments. The applicant's state that the conversion of the building to provide flats would not be a viable option as it would not generate the land values necessary to enable the project to go ahead and for the new community hospital to be provided, and therefore seek consent to demolish this building and to redevelop the site with new build development.
- 5.5.7 The NPPF advises that the significance of a non-designated heritage to asset should be taken into account is determining the application. In weighing applications that affect directly non-designated heritage assets, such as the hospital building, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this particular case, the District Council's Conversation Officer in her consultation response advises that whilst the building is of local significance because of the historic contribution it made to life in Bicester, it is not of great architecture, and has been unsympathetically maintained and features that might have given the building some greater interest, such as doors and windows have been replaced with modern counterparts.
- 5.5.8 Having regard to the above therefore it is considered that the delivery of a new up-to-date and modern community hospital overrides the justification for the retention of the original building, and whilst regrettable, the scale of loss or harm to the locality or to the historical integrity of Bicester of this building is not so significant to justify refusal of the proposal and require its retention.
- 5.5.9 In accordance with paragraph 141 of the NPPF it is recommended that the historic role that the Bicester Cottage Hospital has played in the town should be recorded as public art.

5.6.1 **Visual Impact, Layout, Scale and Design**

Section 7 of the NPPF – Requiring good design, attaches great importance to the design of the built environment and advises at paragraph 56 that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

- 5.6.2 Paragraph 61 'Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.'

- 5.6.3 Paragraph 63 'In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.'
- 5.6.4 Paragraph 65 'Local planning authorities should not refuse planning permission for buildings or infrastructures which promote high level of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).'
- 5.6.5 The application proposes to construct the new hospital building on the site of the existing open temporary car park with access from Coker Close, and to erect the residential element on the western part of the site where the existing hospital buildings are located. This will enable the new hospital to be constructed and brought into use prior to the closure of the existing facility thereby maintaining continuity of service.
- 5.6.6 The new hospital building has been designed so that it is fully DDA compliant, both internally and externally, including accessible parking spaces and vehicular drop off close to and visible from the entrance. The new building also achieves a minimum BREEAM rating of A.
- 5.6.7 The main vehicular parking for the hospital is placed at the eastern end of the site adjacent to the boundary with the adjacent residential home. This ensures that the hospital building itself is set away from that boundary in order to reduce its impact upon it. A small landscaping strip along this boundary provides a further buffer.
- 5.6.8 The front entrance to the site is a single storey glazed structure with a two storey element running back from the entrance, parallel to the parking area. Two, two storey projecting wings are proposed to the west of the building, which will initially be constructed as single storey elements, the first floor level providing future expansion space. The glazed entrance way has been designed to ensure visibility into the building as one approaches from the car park, Coker Close and the new footpath from Kings End and to provide surveillance from within the building to these external areas. Landscaped areas and garden areas provide respite for patients and visitors. The new hospital building is generally two storeys in height, with a pitched roof, and a number of single storey elements articulated by flat roofs. The public areas are towards the front of the building and staff areas and stores at the rear.
- 5.6.9 In terms of materials, natural stonework is proposed at ground floor levels to provide a robust material which reflects existing vernacular buildings within the adjacent Conservation Area. Though coloured render is proposed for the upper floors, interspersed throughout with elements of timber rain screen cladding. The pitched roof has a 30° pitch to link with local vernacular but ensures that the height of the building is not out of scale with its surroundings. It is proposed to clad the roof with long strip falzinc roofing, this material is of low maintenance, is easy to install and has a good green rating, and has a hue which reflects the colour of the slate which is prevalent within the vicinity.
- 5.7.1 The proposed hospital building measures 7m to eaves and 10.8m to the top of the solar chimneys. The building has been designed to sit alongside existing local vernacular within the adjacent Conservation Area whilst at the same time providing a modern, contemporary building capable of providing up to date health facilities. To reduce its impact on the adjacent residential home the building has been set back 22m from this boundary and 27m from the closest part of that building. It is

considered that this distance is sufficient to ensure that the amenities off the occupiers therein are not adversely affected by the development.

- 5.7.2 The application site, in part, also abuts the Bicester Conservation Area which runs along Piggy Lane, and as a result the application was also advertised as being development which would affect the character or appearance of the Conservation Area. Consequently when assessing the application consideration has been given to Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 which requires that attention must be paid to preserving or enhancing the character or appearance of the Conservation Area. As the Conservation Area boundary abuts the northern most part of the site adjacent to Piggy Lane, consideration has been given therefore to this aspect. The existing use of the site as an open temporary car park does little to preserve and enhance the character and appearance of the Conservation Area, and it is considered that the new hospital building and development which has individuality and distinctiveness whilst at the same time incorporating local vernacular in terms of its materials, does seek to improve the character and appearance of the adjacent Conservation Area.
- 5.7.3 On balance therefore it is considered that the scheme complies with Government Guidance on good design and conserving and enhancing the historic environment in accordance with the NPPF and Policy C28 of the adopted Cherwell Local Plan.
- 5.7.4 Following pre-application discussions, the 14 residential units have been designed to reflect more traditional local vernacular and to also create a strong frontage to Kings End, an important route through Bicester. The dwellings have been arranged in two terraces, the first at 90° to Kings End, fronting the new public footpath which is proposed from Kings End, and the second parallel to Kings End. The site is elevated from the Kings End which rises sharply from the entrance. The existing trees along the frontage are to be retained as part of the development and will provide some screening. Due to the constraints of the site and to avoid large areas of hardstanding and parking along the frontage, parking is provided at the rear of the properties. The dwellings are two storey in height reflecting their immediate context which is also generally two storeys in height, thereby providing continuity of scale. The dwellings are proposed to be constructed in red brick under a slate roof, chimneys and gable features, and varied ridge heights punctuate the roofscape and add visual interest. Access to these properties will be via the existing access onto Kings End.
- 5.7.5 Views into the site are also gained across the adjacent sports pitches to the south. The applicants were advised throughout pre-application discussions that the proposed buildings and development needed to be carefully designed and landscaped along this boundary. Whilst the main hospital building has been set back from the boundary slightly to enable some landscaping to soften the visual impact of the development the proposed waste and generator area remains very close to the boundary resulting in minimal screening at this point. The application also proposes access to the electricity sub-station from the adjacent right of way. Whilst this aspect of the development is unfortunate, it is considered that this in itself is not sufficient to justify refusal of the proposal on visual impact. With careful boundary treatment it is considered that this visual impact can be successfully mitigated.
- 5.7.6 Having regard to the above comments therefore it is considered that the scale, design and layout of the proposed development accords with the advice within the NPPF and is in accordance with Policies C28 and C30 of the adopted Cherwell Local Plan.
- 5.7.7 **Land Contamination**

A Phase I and II Geo-Environmental Assessment has been undertaken and submitted as part of the application, which showed that there were some limited sources of contamination identified on the site. However, the current and historical

use of the site as a hospital may result in some contamination from maintenance activities, heating oil etc and the possibility of asbestos within the building. The Environment Agency have assessed these reports and raise no objections subject to the imposition of conditions requiring monitoring to be carried out throughout the development, and if any contamination is found, that a remediation strategy be agreed in relation to any findings. Prior to the occupation of the development all remediation works are to be carried out in accordance with that identified as required.

5.7.8 Subject to the above, it is considered that the proposal accords with Government advice on conserving and enhancing the natural environment within the NPPF and Policy ENV12 of the adopted Cherwell Local Plan.

5.7.9 **Noise**

Existing noise levels in the vicinity of the site and the nearest dwellings have been measured by means of an un-manned environmental noise survey carried out by WSP on behalf of the applicants. This assessment has been submitted as part of the application. Noise levels were found to be low at the rear of the site, but relatively high at the front, adjacent to Kings End. Noise assessments have also been made in respect of the likely noise generated by the construction of the development itself.

5.8.1 The report concludes that the site is suitable for hospital and residential uses and mitigation measures in respect of the residential have been outlined where necessary to ensure adequate internal noise levels can be achieved. The Council's anti-social behaviour manager has assessed the report and is satisfied with the assessment and methodology undertaken. The proposal is therefore considered to be in accordance with Government advice on conserving and enhancing the natural environment within the NPPF.

5.8.2 **Planning Obligations and Viability**

The proposed residential element of the application generates a need for infrastructure and other contributions to be secured through a planning obligation, to enable the development to proceed. The Heads of Terms relating to an obligation would include the following.

District Council Requirements

- 30% affordable housing
- Open space, sport and recreation facilities
- Refuse bins and recycling
- Community facilities

County Council Requirements

- Transport infrastructure improvements – BICITLUS
- Amendments to the TRO on Kings End
- Education
- Adult learning
- Libraries
- Day resource care centre for the elderly
- Strategic waste management
- County museum resources

5.8.3 In respect of planning obligations the NPPF advises at paragraph 204 that they should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms

- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

5.8.4 It also goes onto advise in paragraph 205 that local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planning development being stalled.

5.8.5 It is considered that in respect of the residential element, that the requirement for contributions and infrastructure provision would accord with the above advice. Policy BSC3 Affordable Housing in the draft Cherwell Local Plan states that all proposed developments within Bicester that include 10 or more dwellings, will be expected to provide at least 30% of housing delivery as affordable homes on site. It does however, go onto state that should the promoters of development consider that individual proposals would be unviable with these requirements, 'open-book' financial analysis of proposed developments will be expected so that an in-house economic viability assessment can be undertaken.

5.8.6 A viability assessment carried out by Turner Morum on behalf of the applicant was submitted with this application. The findings of that report state that the scheme would not be viable if affordable housing and other infrastructure and Section 106 contributions were required as part of the development. Oxfordshire Primary Care Trust have stipulated that a land value of £950,000 is required to be generated to enable the hospital development itself to proceed. The report states that only a residential development would give this required land value, and therefore a care home is not included as part of this proposal as the required land value would not be met if the residual land was developed as a care home.

5.8.7 The Turner Morum report therefore seeks to demonstrate the level of affordable housing and other Section 106 requirements cannot be provided in order to meet the required capital contribution amount and whilst maintaining a fair and reasonable developer profit. The report concludes therefore that should the section 106 requirements be made, the provision of the new Bicester Hospital could be jeopardised.

5.8.8 Following the receipt of the above, the District Council commissioned an independent assessment of the submitted viability report, which concludes that the applicant's viability report was a well written and comprehensive document, and the only area of slight disagreement relates to the cost of funding the development and an appropriate profit margin as the Council's independent assessor believes that it would be possible to build and sell the proposed units in a shorter time margin. The appraisal therefore concludes that should a profit level of 20% be required, a residual land value of £950,000 is achieved, but if 18% profit level could be agreed, the residual land value required would be slightly exceeded. However, as the £950,000 land value requirement is a minimum for the purposes of enabling the construction of a new hospital facility, it is accepted that the ability to contribute to a Planning Obligation is limited, and should therefore not be requested in this case, in accordance with Policy BSC3 of the draft Cherwell Local Plan.

5.8.9 **Conclusion**

The advice contained within the NPPF is that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The key material planning considerations are summarised below.

5.9.1 The proposed redevelopment of the existing site to provide a new community hospital is considered to be acceptable in principle, as too is the development of part of the site for residential purposes in land use terms. In planning terms the use of the

residual part of the site for residential purposes in lieu of a care home is appropriate in this location within Bicester.

- 5.9.2 With regard to traffic impact and highway safety, Oxfordshire County Council as local Highway Authority is satisfied that the proposal would not give rise to any significant increase in traffic movements either along Coker Close as from the access onto Kings End and therefore considers the proposal to be acceptable subject to the imposition of a number of conditions.
- 5.9.3 With regard to the loss of the existing locally listed community hospital building, whilst its loss is regrettable, on balance it is considered that the provision of a new community hospital facility for Bicester and therefore the need to ensure that the development is viable justifies its loss in this case.
- 5.9.4 For the above reasons, the application accords with the principles set out in the National Planning Policy Framework 2012, and relevant policies within the Development Plan.

6. Recommendation

Approval, subject to the following conditions:

1. SC1.0
2. That except where stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents
Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Policy BE1 of the South East Plan 2009 and advice within the NPPF.
3. The applicants, or their agents or successors in title, shall be responsible for organising and implementing an archaeological watching brief, to be maintained during the period of construction/during any ground works taking place on the site. The watching brief shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.
Reason – to safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the National Planning Policy Framework 2012.
4. Following the approval of the Written Scheme of Investigation referred to in Condition 3 above, no development shall commence on site without the appointed archaeologist being present. Once the watching brief has been completed, its findings shall be reported to the Local Planning Authority, as agreed in the written scheme of investigation, including all processing, research and analysis necessary to produce an accessible and usable archive and a full report for publication.
Reason – To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with the NPPF.
5. That prior to the first occupation of the residential development, the existing means of access onto Kings End shall be improved, and land out to the approval of the Local Planning Authority and constructed strictly in accordance with the highway authority's specifications and that all ancillary works specified shall be undertaken.

Reason – In the interests of highway safety and to comply with Government advice in the NPPF.

6. That prior to the first occupation of the residential development, the existing 'keep clear' marking at the existing entrance onto Kings End shall be repainted to the satisfaction of the Local Planning Authority and thereafter retained and maintained in perpetuity.

Reason – In the interests of highway safety and to comply with Government Advice in the NPPF.

7. That, before any of the dwellings are first occupied, the proposed private access road, vehicular accesses, driveways and turning areas that serve those dwellings shall be constructed, laid out, surfaced and drained (SUDS) in accordance with the specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason – In the interests of highway safety and to comply with Government Advice in the NPPF.

8. Prior to the first occupation of the new hospital building, the new footway from Kings End serving the new hospital (except for the final surfacing of) shall be laid out, constructed, lit and drained (SUDS) to Oxfordshire County Council's specification.

Reason – In the interests of highway safety and to comply with Government Advice in the NPPF.

9. That prior to the first occupation of the residential development, the parking facilities shall be laid out, surfaced, drained (SUDS) and completed in accordance with the plans hereby approved. The parking spaces shall be retained for the parking of vehicles at all times.

Reason – In the interests of highway safety and to comply with Government Advice in the NPPF.

10. That prior to the first occupation of the proposed new hospital, the proposed means of access onto Piggy Lane is to be formed, and laid out to the approval of the Local Planning Authority and that all ancillary works specified shall be undertaken.

Reason – In the interest of highway safety and to comply with Government Advice in the NPPF.

11. That before the new hospital is first occupied, the parking and manoeuvring areas shall be provided in accordance with the plan (ref: 2518 200) hereby approved and shall be constructed, laid out, surfaced, drained (SUDS) and completed, and shall remain unobstructed except for the parking of vehicles at all times.

Reason – In the interest of highway safety and to comply with Government Advice in the NPPF.

12. Prior to the first occupation of the development, covered cycle parking facilities shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason – In the interest of sustainability and to ensure a satisfactory form of development, in accordance with Policy T5 of the South East Plan 2009 and Government advice in the NPPF.

13. No development shall commence on site until a Construction Traffic

Management Plan providing full details of the phasing of the development has been submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development. This plan is to include wheel washing facilities, a restriction on construction and delivery traffic during construction and a route to the development site. The approved plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.

Reason – In the interests of highway safety and to safeguard the residential amenities of local residents in accordance with Government Guidance in the NPPF.

14. Prior to commencement of any development or work on the site, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.
Reason – In the interests of sustainability and to ensure a satisfactory form of development, in accordance with T5 of the South East Plan 2009 and Government Advice in the NPPF.
15. No building demolition shall commence until a check for the presence of bats has been carried out by a suitably qualified consultant. Should bats be found to be present, no works shall commence until a mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with this strategy.
Reason – To protect habitats of importance to nature conservation from any loss or damage in accordance with Government Advice in the NPPF.
16. No demolition works to the main hospital building shall take place between the months of March to August inclusive, unless checked beforehand for the presence of nesting birds by a suitably qualified ecologist. If nesting birds are found to be present, no works are to take place until the chicks have fledged and left the nest.
Reason – To protect habitats of importance to nature conservation from any loss or damage in accordance with Government Advice in the NPPF.
17. That prior to the commencement of any development on the site, notwithstanding the details submitted, an Arboricultural Method Statement (AMS), undertaken in accordance with BS5837, shall be submitted to and approved in writing by the Local Planning Authority. All works shall then be undertaken in accordance with the agreed document.
Reason – to ensure that no proposed operations impair the health of any retained trees, in the interests of the visual amenities of the locality and to comply with Policy C4 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.
18. SC3.14 – Arboricultural Site Supervision
19. SC3.5A – Notice of Tree Works and Major Operation
20. SC3.0 – Submit Landscaping Scheme
21. SC3.1 – Carry out Landscaping Scheme
22. That the existing hospital building and its associated structures shall not be demolished until a contract has been secured and a timetable for the redevelopment of the site as approved for residential purposes has been agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the timetable agreed.
Reason – To ensure that the locally listed building is not unnecessarily lost without achieving a satisfactory form of replacement development, in

accordance with Government guidance in the NPPF.

23. That prior to the commencement of any development on the site, sample panels of natural stone (minimum 1m² in size) shall be constructed on site to be inspected and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the sample hereby approved. (RC5B)
24. SC2.8A – ‘render to the hospital buildings’
25. That prior to the commencement of any development on the site, samples of the zinc roof materials for the hospital building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the material hereby approved. (RC5B)
26. That prior to the commencement of the residential development, samples of the bricks to be used in the construction of the wall of the dwellings and any boundary or screen walls, shall be submitted to and approved in writing by the Local Planning authority. The development shall be carried out in accordance with the samples approved. (RC5B)
27. That the roofs of the dwellings shall be covered in natural slate, samples of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the samples agreed. (RC5B)
28. SC9.6A – Fire Hydrants
29. SC6.1AA – Residential Open Fronts
30. SC5.5AB – ‘windows and doors in respect of the residential development to a scale of 1:20’
31. That no works of demolition in respect of the locally listed hospital building until the applicants, or their agents, or successors in title have arranged a recording brief in respect of the historic fabric and importance of this building to Bicester. The Recording Brief shall include photographs and detailed documentation in respect of the building, both internally and externally. This brief shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development in respect of the residential scheme or the provision of the new footpath link to Kings End.
Reason – To safeguard the identification and recording of features of historic interest associated with this locally listed building so that a record of its existence is maintained in perpetuity, in accordance with Government Advice in the NPPF and Policy BE6 of the South East Plan 2009.
32. SC5.5AB – ‘lighting’ scale 1:20
Reason – In the interests of the visual amenities of the locality and in accordance with the NPPF.
33. That prior to the commencement of any development in respect of the footpath to Kings End, full construction details in respect of the new footpath, including its gradient, method of construction and details of the retaining walls shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason – To ensure the satisfactory appearance of the completed development and in the interests of the visual amenities of the locality and to comply with Policy C28 of the adopted Cherwell Local Plan and Government

advice in the NPPF.

34. That the MRI Scanner shall only be delivered and collected from the hospital site in accordance with the method statement submitted as part of the application.
Reason – In the interests of highway and pedestrian safety in accordance with Government Advice within the NPPF.
35. That prior to the first occupation of the hospital hereby approved, a Waste Management Agreement in respect of the collection of waste and refuse shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreement in perpetuity.
Reason – In the interests of highway and pedestrian safety in accordance with Government Advice within the NPPF.
36. That notwithstanding the details submitted, prior to the commencement of development in respect of the hospital proposal, full details of all means of enclosures and boundary enclosure details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.
Reason In the interests of the visual amenities of the locality in accordance with Policy C28 of the adopted Cherwell Local Plan and Government advice within the NPPF.

Planning Notes

1. F1 Footpath diversion
2. I Thames Water
3. J Maintenance of Open Space
4. S1 Post Permission Chances
5. T1 Third Party Interests

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal will not unduly impact on the visual amenities of the locality, the public right of way, highway safety or neighbour amenity. The proposal will ensure the delivery of the new Bicester Community Hospital providing a much needed up to date and modern facility for Bicester and the local area. As such the proposal is in accordance with Government Guidance contained within the National Planning Policy Framework – promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, conserving and enhancing the natural environment, Policies CC1, CC6, NRM5, S1 and S2 of the South East Plan and saved Policies C28 and C30 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.