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PLANNING STATEMENT

**BANBURY 200, SOUTHAM ROAD,
BANBURY OX16 3AE**

Date: February 2021
Ref: 15222a

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Revision	Description	Originated	Checked	Reviewed	Authorised	Date
REV1		CM				
DWD Job Number: 15116a						

1.0 INTRODUCTION

1.1 This Planning Statement has been prepared on behalf of Lysander (the Applicant), in support of an application for full planning permission for a proposed development at the Banbury 200 site off Southam Road in Banbury ('Banbury 200').

1.2 The application relates to the use of Banbury 200 as a van storage facility, in addition to associated elevation alterations and associated works, comprising of van storage, vehicle barriers, welfare facilities and associated infrastructure. The full description of development is:

"Use of the site for the storage of operational vehicles, elevational alterations, associated parking, vehicle barriers, guard hut and associated infrastructure"

1.3 This Planning Statement describes the proposed development and assesses the development against the Development Plan. This statement will also outline the material benefits of the proposal.

1.4 This application is supported by the following technical reports that should be read in conjunction with this Planning Statement:

- Air Quality Assessment prepared by Delta Simons;
- Arboricultural Survey prepared by Delta Simons;
- Preliminary Ecological Appraisal prepared by Delta Simons;
- Design and Access Statement prepared by S+SA Architects;
- Foul and Surface Water Drainage and Flood Risk Planning Report prepared by EirEng;
- Preliminary Geo-Environmental Risk Assessment prepared by Delta Simons;
- Landscaping Plan and Management Plan prepared by Urban Wilderness;
- Lighting Assessment prepared by Kelly Taylor Associates;
- Noise Impact Assessment prepared by Delta Simons; and
- Transport Statement prepared by Vectos.

1.5 In addition, the following drawings have been submitted with the application to illustrate the proposed scheme.

Table 1.1 – Application Drawings

DRAWING TITLE	DRAWING NUMBER
Site Location Plan	P01 Rev A
Existing Site Plan	P02 Rev A
Existing Elevations	P06 Rev A
Existing Ground Floor Plan	P04 Rev B
Existing Sections	P11
Proposed Site Plan	P03 Rev D
Proposed Elevations	P07 Rev C
Proposed Ground Floor Plan	P05 Rev B
Proposed Sections	P12
Parking and Access Equipment Plan	P08 Rev A
External Furniture Details	P09 Rev A
External Works Plan	P10 Rev B
Substation Details	P13 Rev A
Cattle Grid and Canopy Details	P14

1.6 The remainder of this Statement is set out as follows:

- Section 2 describes the site and the surrounding area;
- Section 3 sets out the proposals for the site that are the subject of this planning application;
- Section 4 outlines the relevant planning policy;
- Section 5 assesses the proposed development against the relevant national and local planning policies and other material considerations; and
- Section 6 sets out our overall conclusions on the planning merits of the proposals.

2.0 SITE LOCATION, DESCRIPTION AND PLANNING HISTORY

Site Location and Description

- 2.1 Banbury 200 is rectangular in shape and totals 3.78 hectares in size and comprises of a single, industrial / warehousing unit which is currently vacant.
- 2.2 Banbury 200 has historically part of the wider employment site related to 'Jacobs Douwe Edberts' and many of the surrounding buildings and uses to the north east are industrial in nature. Abutting the Site to the east is a Waitrose supermarket. Beyond Southam Road to the east are a number of retail uses and car dealerships alongside other employment uses.
- 2.3 Banbury 200 neighbours Southam Road Cemetery to the south and to the south west is an area of housing forming part of Neithrop. Beyond the Site's western boundary is an area of hardstanding which appears to be utilised for surface level car parking.
- 2.4 Banbury 200 is accessed from a service road to the south east providing access onto Southam Road, which is a main arterial route into Banbury and also provides access to the local highway network. The Site is approximately 90 metres north of bus stops along Southam Road which provide local services (nos. 502 and B3). The Site is also located circa 1 mile (20 minutes walk) from Banbury Railway Station which is to the south east of the Site.
- 2.5 Banbury 200 Site is not within a Conservation Area and there are no statutory listed heritage assets on or nearby the Site.
- 2.6 Banbury 200 and surrounding wider area located within Flood Zone 1 (low probability of fluvial flooding).

Planning History

- 2.7 Banbury 200 is a well-established employment building and site which was recently refurbished and is currently vacant. It is therefore capable of being lawfully occupied for Class B1c / B2 / B8 uses (as approved under application 18/01246/F). Prior to this, it is understood to have operated under Class B8 use.
- 2.8 Table 2.1 below sets out the planning history relevant to the Site available on the online planning register.

Table 2.1 – Planning History

APPLICATION REFERENCE	DESCRIPTION	DECISION	DECISION DATE
19/00886/F	Variation of Condition 2 (plans) of 18/01246/F - Replace drawing P003 Rev U with P003 Rev W. and addition of landscaped bund - additional details indicated on 16083_P022_A	Approved	13 th August 2019
19/00062/NMA	Alterations to office cladding configuration and colour. Level of cladding to base of front elevation revised. Additional window added. Access gate location amended. Barrier island revised (Proposed as Non Material Amendment to application 18/01246/F)	Approved	18 th July 2019
19/00105/DISC	Discharge of Conditions 4 (car parking and cycle parking detail), 5 (pedestrian walkway), 7 (drainage) and 8 (EV charging points) of 18/01246/F	Approved	13 th May 2019
19/00010/NMA	Omission of accessible ramp. Alterations to office cladding configuration and colour. 2no level access doors increased in size and one repositioned. Existing CAT ladder omitted. High level strip glazing extent reduced. (Proposed as Non-Material Amendments to 18/01246/F)	Approved	27 th February 2019
19/01602/NMA	Non-material amendment to 18/01246/F - addition of strip glazing above dock doors to south west elevation	Approved	5 th September 2019
18/01246/F	Change of use of premises from Class B8 to B1c/B2/B8, including internal and	Approved	20 th December 2018



	external alterations, demolition of ancillary structures and new access to Southam Road.		
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3.0 PROPOSED DEVELOPMENT

- 3.1 The proposed development would provide dedicated storage facilities for the vans required to operate the existing distribution centre to the north, on Southam Road in Banbury. The vans are only used to facilitate the operations at the existing distribution centre to the north through the collection and delivery of packages and/or goods originating from or returning to that existing distribution. Without the vans to effect these movements of packages and/or goods, the existing distribution centre to the north cannot operate effectively. Equally, the van storage use on Banbury 200 would only take place because the vehicles are required for the existing distribution operations. Therefore, the storage of the vans at Banbury 200 is a functionally linked necessity for the effective operation of the existing distribution centre to the north.
- 3.2 On new build-to-suit sites, the need for vehicle storage is often built into proposals. On sites such as these, where existing units are operating with limited to no opportunities to adapt the site to meet this operational business requirement, the storage of the vans necessarily has to take place elsewhere. This is the case for the existing distribution centre to the north and the reason why there is a need to provide a van storage facility a short distance from the existing distribution centre.
- 3.3 Accordingly, Banbury 200 and the existing distribution centre to the north form one single planning unit with the primary distribution warehouse use falling into Use Class B8 and the proposed van storage use constituting an ancillary use to that primary distribution warehouse B8 use. This means the proposed development will also operate pursuant to Use Class B8 (storage use) as an ancillary use to the primary distribution warehouse use within the overall single planning unit.
- 3.4 The desire for the operator to rely on their own fleet of vans stored at this proposed development site stems from a number of business objectives, which are considered to be material benefits in planning terms.
- 3.5 Firstly, the proposals include electric vehicle charging points for each parking space. The operator is aiming to make its operations more sustainable and to this end it is seeking to maximise the number of electric vehicles serving the existing distribution centre to the north. For each electric van used instead of a diesel van, a conservative estimate is that the life-cycle carbon emissions of operating that van have been reduced by 60%+ from 11,533kg CO₂e annually to 3,933 kg CO₂e annually. This includes the emissions from manufacturing the vehicle, the fuel production, the tailpipe and the power plants that make the electricity in the UK. The aim of the operators is to try to power 100% of its operations with renewable energy by 2030. It is conservative to estimate that the life-cycle carbon emission of operating that van have been reduced by 90% from 11,533 kg

CO₂e annually to 422kg CO₂e annually. In this scenario the only emissions associated with operating the electric vehicle come from the manufacturing of the vehicle. It would of course be impractical and unrealistic to require delivery drivers to charge electric vans at home, demonstrating the necessity for a dedicated storage location for the vans to provide the required supporting charging facilities.

- 3.6 Furthermore, the storage facility at Banbury 200 allows the operator to control the standard of delivery vans that serve the existing distribution centre to the north during the transition to a 100% EV fleet by working towards all vans being Euro 6 compliant vans prior to achieving the 100% EV fleet.
- 3.7 Another benefit of the proposed development is modal shift. At present all of the drivers have to drive to the existing distribution centre to the north in their own vans, with no ability to travel by sustainable modes or trip share. The van storage facility will change this, which is both sustainable and also widens access to the job opportunities for people that would like jobs as drivers but may not be able to access a suitable van.
- 3.8 Another planning benefit from the dedicated van storage site is that this substantially reduces the requirement for drivers to store vans overnight local to where they live. A high proportion of the drivers are unlikely to be able to store the vans on drive-ways, therefore the vans are stored on public roads near to the homes of the drivers.
- 3.9 Finally, the dedicated van storage site can serve to reduce the number and duration of trips. The business can enhance the route that the drivers take from this single starting point, allowing more parcels to be delivered per launch of the vehicle. As is clear from the Transport Statement, the proposed development does not materially impact the throughput of the existing distribution centre to the north therefore there is no increase in vehicles on the local road network. On the contrary, the proposals represent a betterment in terms of trips.
- 3.10 Local drivers would arrive at Banbury 200 by various means of transport, collect a van and leave to make their deliveries. Once all deliveries have been made, drivers would return the vans to Banbury 200, collect their own vehicles (if they have driven to Banbury 200), or travel home by other means of transport. Full details of the proposed operation of the van storage facility are contained within the supporting Transport Statement prepared by Vectos.
- 3.11 To facilitate the storage of vehicles at Banbury 200, the proposed development includes the following infrastructure to support the storage of the vehicles:

- Conversion of existing structure;
- Elevational amendments to the existing unit, including 9 no. louvres and 2 no. new fire exit doors.
- Automated vehicle barriers and a manual access gate;
- Security gates and a guard shelter;
- 450 no. van storage spaces;
- 1 no. car parking space;
- Active electric vehicle charging points;
- 5 no. motorcycle parking spaces;
- Lighting columns;
- Transformer and substation;
- Water sprinkler tank and pumphouse; and
- Soft landscaping.

3.12 The existing access off the service road will be used by cars, vans, pedestrians and cyclists travelling into Banbury 200. Vehicles and cyclists will use the automated barriers for access, while the pedestrians will use the pedestrian access. The vehicular access will be controlled by an automated vehicle barrier and Banbury 200 will also be controlled by a security officer in a guard hut located next to the vehicle barrier at the access point.

4.0 PLANNING POLICY CONSIDERATIONS

- 4.1 This section sets out the national and local planning policies relevant to the proposals that seek to achieve sustainable development, build a strong, competitive economy, achieve good design, conserve and enhance the natural environment, promote safe and sustainable transport, and meet the challenge of climate change and flooding.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of determining planning applications, then determination must be made in accordance with the development plan, unless material considerations indicate otherwise.
- 4.3 The statutory development plan for the area for the purpose of this application comprises of the:
- Cherwell Local Plan 2011-2031 (Part 1) (July 2015); and
 - Cherwell Local Plan 1996 - Saved Policies (September, 2007).

National Planning Policy Framework

Achieving Sustainable Development

- 4.4 The NPPF sets out the Government's planning policies for England and how they should be applied. It specifies that the purpose of the planning system is to contribute to the achievement of sustainable development through 3 overarching objectives, which should be delivered through the preparation and implementation of plans and the application of the NPPF policies:
- An economic role – to ensure a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places to support growth, innovation and improved productivity;
 - A social role – to support strong, vibrant and healthy communities by fostering a well-designed and safe built environment; and,
 - An environmental role – making effective use of land and contributing to protecting and enhancing the natural, built and historic environment (paragraph 8).
 - At the heart of the NPPF is a presumption in favour of sustainable development, which should be applied by approving development proposals that accord with an up-to-date development plan without delay (paragraph 11c).
 - Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted

unless there is a clear reason for refusing the proposal (based on NPPF policies that protect areas of assets of particular importance), or any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the NPPF taken as a whole (paragraph 11d).

Building a Strong and Competitive Economy

- 4.5 The NPPF sets out the Government's commitment to creating the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs (paragraph 80).
- 4.6 Local planning authorities are required to make provision for storage and distribution operators at variety of scales and in suitably accessible locations (paragraph 82).

Promoting Sustainable Transport

- 4.7 Paragraph 102 requires the environmental impacts of traffic and transport infrastructure to be identified, assessed and taken into account. Significant development should be focused on locations which are, or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes (paragraph 103).
- 4.8 In addition, it should be ensured that safe and suitable access can be achieved for all users (paragraph 108). Developments should create places that are safe, secure and attractive, and respond to local character and design standards (paragraph 110).
- 4.9 With regard to distribution centres, the NPPF specifically requires that proposals should make provision for sufficient parking to cater for their anticipated use (paragraph 107). Although reference in this paragraph is made to lorry parking, it is considered to be applicable to all operational parking requirements for distribution centres.

Making Effective Use of Land

- 4.10 Local planning authorities are required to promote an effective use of land in meeting the need for various uses, while safeguarding and improving the environment (paragraph 117). Substantial weight is to be given to the value of using suitable brownfield land within settlements, and the development of under-utilised land should be promoted and supported (paragraph 118).

Achieving Well-Designed Places

- 4.11 Developments are required to be sympathetic to local character, including the surrounding built environment, while not preventing or discouraging appropriate innovation or change, and should

optimise the potential of the site to accommodate and sustain an appropriate amount of development, and support local transport networks (paragraph 127).

- 4.12 In determining applications, the NPPF advises that great weight should be given to innovative designs that promote high levels of sustainability, so long as they fit in with the overall form and layout of their surroundings (paragraph 131).

Meeting the Challenge of Climate Change and Flooding

- 4.13 The planning system is required to support the transition to a low carbon future, taking full account of flood risk, by helping to shape places in ways that contribute to reducing greenhouse gas emissions, encourage the reuse of existing resources, including the conversion of existing buildings and support renewable and low carbon energy and associated infrastructure (paragraph 148). New development should be planned for in ways that can help reduce greenhouse gas emissions through location, orientation and design (paragraph 150). The NPPF also requires development to be directed away from areas at highest existing or future risk of flooding (paragraph 155). Where appropriate, planning applications should be supported by a site-specific flood-risk assessment (paragraph 163). Footnote 50 specifies that such an assessment is required for developments in Flood Zone 1 where the site area measures 1 hectare or more.

Conserving and Enhancing the Natural Environment

- 4.14 The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, and preventing new development from contributing to unacceptable levels of pollution (paragraph 170).
- 4.15 Paragraph 178 requires planning decisions to ensure that sites are suitable for the proposed use, taking account of ground conditions and any risks arising from land instability and contamination.

Local Development Plan Policies

Cherwell Local Plan 2011-2031 (Part 1) (July 2015)

- 4.16 **Local Plan (July 2015) Policy PSD1** (Presumption in Favour of Sustainable Development) states that when considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The policy outlines the Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

4.17 The policy also notes that planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

4.18 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in the Framework indicate that development should be restricted.

4.19 **Local Plan (July 2015) Policy SLE 1** (Employment Development) seeks to protect existing employment sites for employment uses (including Class B uses), promoting employment development on existing employment sites. The policy notes that on existing operational or vacant employment sites employment development, including intensification, will be permitted subject to compliance with other policies in the Plan and other material consideration. The policy also sets out that employment proposals at Banbury, Bicester and Kidlington will be supported if they meet the following criteria:

- Are within the built up limits of the settlement unless on an allocated site
- They will be outside of the Green Belt, unless very special circumstances can be demonstrated
- Make efficient use of previously-developed land wherever possible
- Make efficient use of existing and underused sites and premises increasing the intensity of use on sites
- Have good access, or can be made to have good access, by public transport and other sustainable modes
- Meet high design standards, using sustainable construction, are of an appropriate scale and respect the character of its surroundings
- Do not have an adverse effect on surrounding land uses, residents and the historic and natural environment.

4.20 **Local Plan (July 2015) Policy SLE 4** (Improved Transport and Connections) sets out that all development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion

4.21 **Local Plan (July 2015) Policy ESD 15** (The Character of the Built and Historic Environment) sets out overarching guidance for new development. The policy states the new development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting
- Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette.
- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed.
- Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation.
- Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout.

- Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy).
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality locally sourced sustainable materials where possible.
- Use locally sourced sustainable materials where possible.

4.22 **Local Plan (July 2015) Policy PSD1** (Presumption in Favour of Sustainable Development) outlines that the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The policy also notes the Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

4.23 **Local Plan (July 2015) Policy SLE 4** (Improved Transport and Connections) states all development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.

4.24 **Local Plan (July 2015) Policy ESD 1** (Mitigating and Adapting to Climate Change) encourages the incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts. The policy states this will include consideration minimising the risk of flooding and making use of sustainable drainage methods.

4.25 **Local Plan (July 2015) Policy ESD 2** (Energy Hierarchy and Allowable Solutions) outlines the Council will promote an 'energy hierarchy' in accordance with the below:

- energy use, in particular by the use of sustainable design and construction measures
- energy efficiently and giving priority to decentralised energy supply

- use of renewable energy
- use of allowable solutions.

4.26 **Local Plan (July 2015) Policy ESD 3** (Sustainable Construction) states all new non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Statement.

4.27 The policy also sets out that all development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods including but not limited to:

- Minimising both energy demands and energy loss
- Maximising passive solar lighting and natural ventilation
- Maximising resource efficiency
- Incorporating the use of recycled and energy efficient materials
- Incorporating the use of locally sourced building materials
- Reducing waste and pollution and making adequate provision for the recycling of waste
- Making use of sustainable drainage methods
- Reducing the impact on the external environment and maximising opportunities for cooling and shading (by the provision of open space and water, planting, and green roofs, for example); and
- Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment.

4.28 **Local Plan (July 2015) Policy ESD 4** (Decentralised Energy Systems) outlines that decentralised energy systems, providing either heating (District Heating (DH)) or heating and power (Combined Heat and Power (CHP)) will be encouraged in all new developments. The policy also notes that a feasibility assessment for DH/CHP, including consideration of biomass fuelled CHP, will be required for all applications for non-domestic developments above 1000m² floorspace. Where feasibility assessments demonstrate that decentralised energy systems are deliverable and viable, such systems will be required as part of the development unless an alternative solution would deliver the same or increased benefit.

- 4.29 **Local Plan (July 2015) Policy ESD 5** (Renewable Energy) identifies a feasibility assessment of the potential for significant on site renewable energy provision (above any provision required to meet national building standards) will be required for all applications for non-domestic developments above 1000 sqm floorspace. Where feasibility assessments demonstrate that on site renewable energy provision is deliverable and viable, this will be required as part of the development unless an alternative solution would deliver the same or increased benefit. This may include consideration of ‘allowable solutions’ as Government Policy evolves.
- 4.30 **Local Plan (July 2015) Policy ESD 6** (Sustainable Flood Risk Management) outlines that flood risk assessments should assess all sources of flood risk and demonstrate that:
- There will be no increase in surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event with an allowance for climate change (the design storm event)
 - Developments will not flood from surface water up to and including the design storm event or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site.
- 4.31 Development should be safe and remain operational (where necessary) and proposals should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere, including sewer flooding.
- 4.32 **Local Plan (July 2015) Policy ESD 7** (Sustainable Drainage Systems (SuDS)) highlights that all development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.
- 4.33 **Local Plan (July 2015) Policy ESD 8** (Water Resources) notes that where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits.
- 4.34 **Local Plan (July 2015) Policy ESD 10** (Protection and Enhancement of Biodiversity and the Natural Environment) states the Council will seeks to protect and enhance biodiversity and the natural environment, noting in considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources.
- 4.35 The policy also states that air quality assessments will also be required for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution.

4.36 **Local Plan (July 2015) Policy ESD 15** (The Character of the Built and Historic Environment) sets out that development should consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. The policy also sets out development should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

[Cherwell Local Plan 1996 - Saved Policies \(September, 2007\)](#)

4.37 **Saved Local Plan (September 2007) Policy C28** (Layout, design and external appearance of new development) states that control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development.

4.38 **Saved Local Plan (September 2007) Policy ENV1** (Development likely to cause detrimental levels of pollution) states that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not normally be permitted.

Summary

4.1 The key planning policy issues relating to this site are considered to be:

- The principle of development;
- The impacts on the local transport network and promoting sustainable travel;
- The impacts on residential amenity; and
- The design and layout of the proposed development.

5.0 POLICY COMPLIANCE

Achieving Sustainable Development

- 5.1 The proposed scheme represents sustainable economic development on the basis that it would allow the occupier to operate an efficient last mile delivery station serving the local area from a Site which is allocated for employment uses in the adopted Development Plan. The proposal makes effective use of previously developed land through the re-use of the existing warehouse.
- 5.2 Sustainable development is achieved through the collaboration of a number of key requirements. As such, compliance with the above overarching policies requiring sustainable development is set out below.

Building a Strong and Competitive Economy

- 5.3 The proposed development is required to enable the existing distribution centre to the north to operate efficiently and successfully, which should be afforded significant weight in accordance with national planning policy.
- 5.4 As discussed above, the principle of the redevelopment of this brownfield site is considered acceptable. Banbury 200 forms part of an Existing Strategic Employment Site which is promoted for employment generating uses, including Class B8, within the Local Plan Policy SLE 1 (Employment Development). Policy SLE 1 seeks to protect existing employment sites for employment uses (including Class B uses), promoting employment development on existing employment sites. The policy notes that on existing operational or vacant employment sites employment development, including intensification, will be permitted subject to compliance with other policies in the Plan and other material consideration in terms of paragraph 82 of the NPPF, is in a suitably accessible location for the proposed development which will support an existing storage and distribution operation.
- 5.5 We note that at the time of writing the unit is vacant. The proposed development would enable the occupation of Banbury 200 and the subsequent generation of business rates. Furthermore, the proposed development will enable the applicant to reinforce their distribution network, engaging more critical workers and supporting an increased demand in E-commerce due to the current COVID-19 pandemic.
- 5.6 In light of the above, the proposed development is compliant with national and local planning policy seeking to secure sustainable economic growth and productivity.

Promoting Sustainable Transport

- 5.7 The proposed van storage area forms part of the servicing infrastructure and operational requirements for the existing distribution centre to the north, off Southam Road in Banbury and is therefore supported by local and national planning policy.
- 5.8 Vectos have been appointed to produce a Transport Statement to consider the impacts of the proposals on the local highway network, which has been submitted with the application.
- 5.9 As noted previously in this Statement, the proposal seeks to accommodate the operational van storage requirements associated with an existing distribution centre to the north located along Southam Road. The statement notes the arrangement will improve the existing operations to facilitate a reduction in overall journeys and improve the sustainability of the operation by encouraging more sustainable modes of transport. For example, the proposals will assist with drivers being able to commute by non-car modes of transport and will promote the use of car sharing. Therefore, the proposals are consistent with the principles of freight consolidation.
- 5.10 The statement highlights the proposed development does not include any amendments to the floor area of the existing distribution centre to the north and/or the throughput of parcels therefrom. Given that these points are the main parameters that dictate trip generation, the proposals will not increase vehicle trips associated with the operations of the intended user. The capacity of the existing distribution centre to the north along Southam Road will not be increased as a result of these proposals, the traffic flows will already be present on the wider network and thus do not constitute new trips in their own right. It is considered the proposed development will result in a redistribution of existing trips.
- 5.11 As such, the proposals will, in effect, result in a redistribution of existing vehicle movements rather than generate new trips in their own right. The proposed development is expected to generate 1546 two-way vehicle movements across the course of a day, of which 918 will be LGVs associated with deliveries. There are 86 vehicle movements expected between the network AM peak of 08:00 – 0900, and 257 movements are expected in the PM peak of 17:00 – 18:00. No HGVs are expected to be generated from the proposed development as all delivery vehicles will consist of LGVs.
- 5.12 It is therefore considered that the proposed development will not have an adverse effect upon the operation of the local highway network, let alone the severe impact referred to in the NPPF. With the shift towards the intended operator using company vehicles, this affords the opportunity for workers to travel by modes of transport other than a single occupancy vehicle trip thereby reducing traffic on adjoining roads.

- 5.13 The application site is accessible by a various means of transport. This site is located in an existing industrial area which has connections to shared footway/cycleways, cycle lanes, public footpaths and frequent bus and rail services within walking distance of Banbury 200.
- 5.14 In light of the above, Banbury 200 is demonstrated to be accessible and the proposals would allow for sustainable transport movements both by staff and delivery drivers. The proposal is, therefore, considered to comply with national, regional and local planning policy seeking to promote sustainable transport.

Making Effective Use of Land

- 5.15 As discussed above, the proposals make the most efficient use of the existing brownfield site to a use which is appropriate to its industrial/logistics setting.
- 5.16 The van storage proposals provide a sufficient number of van storage bays to serve the existing distribution centre to the north along Southam Road. Banbury 200 is located within an existing industrial area which protected for employment uses and the proposed facility will be in keeping with the existing industrial character of its surroundings. The small-scale nature of the works proposed to the facility will ensure there are no significant visual impacts compared to the existing building.
- 5.17 In light of the above matters, the proposals are considered to comply with national and local planning policies concerning the effective use of land.

Achieving Well-Designed Places

- 5.18 As set out above, the proposals seek to make minor alterations to Banbury 200 to enable its occupation by a proposed end user. The physical works to the warehouse are considered to be minor in scale and primarily relate to amendments to the exterior structure related to the operation of the unit, with new louvres and fire exits proposed. Further works are proposed to external areas including hard and soft landscaping, minor development related to Banbury 200's operation (lighting, guard hut and vehicle barriers) the laying of drainage and electric vehicle charging infrastructure.
- 5.19 The van storage site has been designed to complement the existing industrial nature of the application site and its surrounding area and makes use of materials and finishes that match those of the existing buildings. The layout of the proposal has been efficiently designed to ensure that a sufficient number of storage bays are provided to support the existing distribution centre to the north, whilst providing safe access for vehicles and pedestrians.

- 5.20 In terms of landscaping, the submitted drawings show high quality infrastructure and hard landscaping within the red line, in addition to areas of soft landscaping around the perimeter of the warehouse. A detailed Landscape Proposals Plan prepared by Urban Wilderness has been submitted with the planning application, which demonstrates that alongside the proposed native planting, insect holes, shrubs and hedging, 31 no. new trees are also proposed and shall contribute to enhancing the visual quality of Banbury 200 and its ecological value.
- 5.21 The closest existing residential properties to Banbury 200 lie approximately 70 metres to the south west. Notwithstanding this, Banbury 200 forms part of an established industrial area and the Noise Impact Assessment submitted with the application. The assessment has shown that the rated level of noise from LGV operations at Banbury 200 will meet the typical daytime background sound levels. Further to this, the night-time noise levels in bedrooms fall below the guidance levels for sleeping conditions. This assessment has shown that the level of noise generated by Banbury 200 at the closest residential dwelling to the south west will result in a negligible noise impact during daytime or night-time.
- 5.22 Under a previous consent on Banbury 200 related to the change of use from Class B8 to Class B1c, B2 and B8 (18/01246/F), the proposed mitigation measures related to residential amenity have been implemented and remain in place. These includes an earth bund and solid fence along the south western boundary.
- 5.23 A drawing of the proposed lighting scheme prepared by Kelly Taylor Associates, showing the details of the proposed lighting infrastructure and the associated lux levels, has been submitted with the application which demonstrates there will be no adverse impact on these properties in terms of lighting.
- 5.24 In light of the above matters, the proposal is considered to comply with national and local planning policies seeking to achieve well-designed places.

Meeting the Challenge of Climate Change and Flooding

- 5.25 Banbury 200 is located within Flood Zone 1 and measures more than 1 hectare in area. Consequently, in support of this application a Foul and Surface Water Drainage and Flood Risk Planning Report has been prepared by EirEng. The report assesses the flood risk, surface water drainage and foul water drainage for Banbury 200.
- 5.26 When considering flood risk, EirEng consider the development is appropriate as there are passive flood mitigation measures in place to address the surface water flood risk and there is no increased risk to adjacent/downstream sites. It is outlined that as the works proposed will not alter the

existing site hardstanding extents or levels the findings of the previous Flood Risk Assessment (approved under 18/01246/F) are considered appropriate and relevant for this planning application.

- 5.27 The report draws attention to the recent consent for Banbury 200 related to the change the use of premises from Class B8 to B1c/B2/B8, including internal and external alterations, demolition of ancillary structures and new access to Southam Road (approved under application reference 18/01246/F). Part of these works included recladding the building and extending the existing hardstanding areas, with the new hardstanding areas collected in a new separate surface water drainage network and attenuated to a greenfield runoff rate of 2.3 l/s. The report also identifies an attenuation volume of 319m³ was provided along the southern site boundary to cater for the 1 in 100 year rainfall event with a 30% allowance for climate change.
- 5.28 As part of the works proposed in the proposed development, there are no increases in hardstanding areas to Banbury 200, or changes to the existing hardstanding extents. As such, EirEng consider the existing surface water network will remain in place and will be entirely unaltered by the proposed works. Thereby, there will be no increased surface water runoff from Banbury 200 and the existing surface water drainage network is considered to be appropriate for the works proposed in this planning application.
- 5.29 With regards to foul drainage, EirEng outline it is anticipated that there will be no significant increase in foul flows. As such the existing foul water drainage network is considered to be appropriate for the works proposed in this planning application.
- 5.30 Accordingly, the proposed development would be operated with minimal risk from flooding and would not increase flood risk elsewhere.
- 5.31 On this basis, it has been demonstrated that the proposal would not lead to harm to the quality of groundwater from surface or foul water, and would not cause or aggravate flooding in accordance with national and local planning policies and guidance.

Conserving and Enhancing the Natural Environment

- 5.32 Banbury 200 does not fall within an Air Quality Management Area. However, there are two within the wider context, approximately 0.3 miles and 1.6 miles away. Thereby, an Air Quality Assessment (AQA) has been prepared by Delta Simons in support of our application.
- 5.33 The assessment identifies that during the construction phase, there is a negligible risk of dust soiling impacts and a negligible risk of increases in particulate matter concentrations due to unmitigated

construction activities. Notwithstanding, through good site practice and the implementation of the recommended mitigation measures (including site management, monitoring, etc.) the effect of dust and particulate matter releases would be significantly reduced. As such, the residual effects of the construction phase on air quality are considered to be not significant.

- 5.34 During the operational phase, the proposed development is expected to result in an overall negligible impact associated with the operational phase traffic on nearby receptors and the residual effects are considered to be not significant. Based on the assessment results, Delta Simons have concluded Banbury 200 is considered suitable for the proposed development without the implementation of Air Quality mitigation measures for the operational phase.
- 5.35 As illustrated in the plans submitted with the application, it is proposed to remove some of the existing trees at Banbury 200, so to facilitate the operation requirements of the operator. An Arboricultural Survey has been submitted in support of this application (prepared by Delta Simons). The report assessed a total of 19 trees and four tree groups, none of which are covered by Tree Preservation Orders (TPOs), or are within a Conservation Area.
- 5.36 Five trees were assessed as offering roosting potential, T13 and the three trees comprising TG14 were assessed as offering low BRP due to dense ivy cladding. Damage at the base of T15 was also assessed as offering low BRP due to the presence of a cavity. It is recommended that to ensure the root areas and canopy extremities of the individual trees and the tree groups are not damaged, measures to protect trees should follow the best practice principles set out in BS5837: Trees in Relation to Design, Development and Construction (2012).
- 5.37 It is considered that Banbury 200 would benefit from native deciduous tree planting along the southern edge and within the car park to the north-east to provide additional screening and complement the surrounding landscape, which is reflected within the proposed landscaping documents.
- 5.38 Banbury 200 itself is not subject to any statutory or non-statutory ecological/nature conservation designations. Notwithstanding, the southern part of the neighbouring cemetery is allocated as 'Priority Habitat Inventory - Deciduous Woodland'. Policy ESD 10 identifies the Council will seek to protect and enhance biodiversity and the natural environment, noting in considering proposals for development, a net gain in biodiversity will be sought. Consequently, a Phase 1 Ecology Survey and Report has been provided by Delta Simons in support of this application. The report concludes there are no protected or priority species or habitats on the application site and no further survey work is required and recommends following appropriate protection of retained trees on-site and

immediately adjacent to Banbury 200 in accordance with the recommendations of the arboricultural report prepared for the application site.

5.39 A Land Contamination Assessment has also been submitted in support of this application (prepared by Delta Simons). The Assessment identifies that widespread contamination is considered unlikely and the preliminary risk assessment has identified a Low to Moderate risk of soil/groundwater contamination and hazardous ground gas at Banbury 200. The Assessment notes the redevelopment of Banbury 200 is not currently proposed as the existing building and external areas will be used for a continued commercial end use. As such, the Assessment concludes ground investigation is not considered to be required, unless to support design of ancillary buildings and changes to the ground surface appropriate to the proposed Site use.

5.40 In light of the above, it is considered that the proposed development complies with national and local policies seeking to conserve and enhance the natural environment.

Conserving and Enhancing the Historic Environment

5.41 There are no heritage assets on the application site or in the immediate surrounding area. The nearest being a number of Grade II listed structures circa 450 metres to the south within central Banbury. The closest Conservation Area is also located within central Banbury and is approximately 600 metres to the south of Banbury 200.

5.42 In light of the above, the proposed development would not result in any impact on non-designated or designated heritage assets and is considered to comply with national and local planning policies concerned with conserving and enhancing the historic environment.

Statement of Community Involvement

5.43 Following a review of the recent permission approved under planning application reference 18/01246/F identifies a total of three letters of objections were received by local residents at nos. 7, 8 and 9 Garden Close (Banbury). No comments from residents were received for planning application reference 19/00886/F.

The responses received related primarily to perceived noise concerns associated with the development, together with highways on Southam Road.

7 Garden Close

“As being one off the closet properties to the proposed planning applications. Our concerns are over noise level. We have a young family so particularly noise in the evening and after dark. We would

like to know if there are any restrictions being implemented to restrict lorry and warehouse movement as the planning is within close proximity of residential areas.”

8 Garden Close

“We object to these plans due to the noise the lorries and Forklift trucks will make continually day and night. We are also concerned about the extra volume of traffic on the southam road, it already gets badly congested with the car transporters delivering to the garages the Finelady bakeries and the lorries from the other businesses on that stretch of road as well as the every day traffic.”

9 Garden Close

“I am writing in reply to your letter as dated 1 August 2018 regarding the planning application for the land at Jacobs Douwe Edberts. The back of our home is situated on Nursery Lane and is very close to the end of the company car park where the planned work is going to take place. My main concern is if the land is sold for industrial use or storage etc that it will have night time or early hours in operation with lorries, vehicles and probably conversation which will carry. We have experienced this situation when the land was previously occupied. It is obviously worse during the summer months when the windows are open...”

5.44 In response to the above comments, the historic consent approved under 18/01246/F was conditioned (Condition 3) which required to erect a fence along the southern and western boundary, prior to commencement of development, in order to safeguard the privacy of the occupants of the existing dwellings adjacent to Banbury 200. This has been constructed. Furthermore, the applicant was able to demonstrate via the noise assessment submitted with the planning application that no adverse impacts on amenity would arise.

5.45 As set out within this section of the planning statement, the proposed development and its accompanying technical assessments have sought to address local residents concerns with regards to their amenity. The Noise Impact Assessment demonstrates the level of noise generated by the proposed development at the closest residential dwelling to the south west will result in a negligible noise impact during daytime or night-time. Furthermore, with regards to highways, the Transport Statement sets out the proposed development shall result in a redistribution of existing vehicle movements rather than generate new trips and it is thus considered the proposed development will not have an adverse effect upon the operation of the local highway network.

- 5.46 We highlight that with regards to other considerations related to residential amenity, as set out in this section, the Lighting Assessment and Air Quality Assessment also demonstrates the proposed development would be acceptable.
- 5.47 As touched on previously, the earth bund and solid fence along the south western boundary approved under application reference 18/01246/F remain in place and contribute towards the mitigation measures for the residents along Garden Close.
- 5.48 We therefore consider the proposed development to have sufficiently addressed local residents concerns with regards to the proposed development.

Public Right of Way Statement

- 5.49 As set out within the validation requirements, a Public Right of Way Statement is required if development affects an existing right of way.
- 5.50 Banbury 200 neighbours an existing public footpath which is situated between the Site boundary and the neighbouring Southam Road Cemetery (Named: 120 100/10).
- 5.51 As illustrated in the plans accompanying the proposed development, no changes are proposed to the existing right of way and will therefore have no effect on members of the public's use and enjoyment.

6.0 PLANNING BENEFITS

- 6.1 The proposed installation of a van storage facility would result in a number of planning benefits, as well as being an optimal solution to meet the business needs of the identified occupier.
- 6.2 As discussed above, and within the accompanying Transport Assessment, the proposed development would improve operational efficiencies and will assist the prospective occupier to achieve its objectives relating to reducing emissions.
- 6.3 The proposals involve the use of a fleet of delivery vans to be managed by the operator, which would comprise more modern, efficient, well-maintained vehicles. The unit is vacant at the time of writing and the proposed development would enable the occupation of Banbury 200 and will enable the applicant to reinforce their distribution network, engaging more critical workers. This would result in environmental benefits particularly to air quality as it is proposed to include EV charging points for all van storage spaces as the operator is aiming to make its operations more sustainable and to this end it is seeking to maximise the number of electric vehicles serving the existing distribution centre to the north.
- 6.4 In terms of biodiversity, the report produced by Delta Simons demonstrates there are no protected or priority species or habitats at Banbury 200. A landscaping scheme has been prepared by Urban Wilderness that shows areas of landscaping, all of which will enhance the appearance of Banbury 200 in its context on wider site area and contributes towards the Local Plan objectives of improving green infrastructure. The proposed landscaping scheme also contributes to improving the ecological value of Banbury 200 by proposing native planting, insect holes, shrubs and hedging, 31 no. new trees.
- 6.5 In terms of economic benefits, the proposals would provide employment opportunities for those wishing to take up delivery driver jobs, but who are unable to afford to purchase or hire their own vehicle.
- 6.6 Overall, the proposed development represents an opportunity to make efficient use of this existing employment in such a way that provides a variety of economic, social and environmental benefits.

7.0 CONCLUSION

- 7.1 Banbury 200 comprises of a square shaped plot of land providing an existing industrial / warehouse unit with an associated service yard to the east and south.
- 7.2 The proposals, the subject of this planning application, are required to provide a secure van storage facility close to the existing distribution centre located to the north along Southam Road.
- 7.3 All key planning considerations have been taken into account in the preparation of the development proposals, which comply with national and local Development Plan policies.
- 7.4 In summary, these proposals represent sustainable development, securing an employment generating economic use of a currently vacant site. It would result in improvements to economic productivity without negatively impacting on highway capacity, highway safety, biodiversity, arboricultural, flood risk, air quality or amenity interests.
- 7.5 The development has been demonstrated to be compliant with the Development Plan and, therefore, warrants support from the Local Planning Authority.