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PLANNING STATEMENT

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

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Revision	Description	Originated	Checked	Reviewed	Authorised	Date
DWD Job Number: 15222c						

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.

1.2 This application follows the recent approval of planning application 21/00503/F and relates to the incorporation and the use of the land to the west of Banbury 200 as a surface van storage facility, in addition to associated elevation alterations and associated works and infrastructure to the application site to facilitate the necessary development.

1.3 The full description of development is:

“Use of the site for the storage of operational vehicles, together with elevational and site alterations, associated parking, welfare facilities, vehicle barrier and associated infrastructure”

1.4 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.

1.5 This planning application has been submitted alongside two separate concurrent planning applications which allow the transfer of the existing surface car parking capacity to another part of the Jacobs Douwe Edberts site.

1.6 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;
- Arboricultural Impact Assessment & Arboricultural Method Statement prepared by Delta Simons;
- Preliminary Ecological Appraisal prepared by Delta Simons;
- Design and Access Statement prepared by S+SA Architects;
- Flood Risk Assessment prepared by Enzygo;
- Drainage Strategy prepared by EirEng;
- Preliminary Geo-Environmental Risk Assessment prepared by Delta Simons;
- Landscaping Plan and Landscape 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.

1.7 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
Location Plan	A000 Revision P03
Existing Site Plan	A002 Revision P02
Existing Ground Floor Plan	A100 Revision P02
Existing Building Elevation	A200 Revision P02
Existing Building Section	A300 Revision P02
Proposed Site Plan	A003 Revision P14
Proposed Ground Floor Plan	A101 Revision P02
Proposed Building Elevation	A201 Revision P02
Proposed Building Section	A301 Revision P02
External Furniture Details	A006 Revision P03
External Works Plan	A007 Revision P05
Welfare Cabin Plan	A023 Revision P02
Substation Detail	A018 Revision P02
Site Access and Parking Equipment	A021 Revision P04
Cattle Grid Detail	A027 Revision P02

1.8 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 The application site is rectangular in shape and totals 5.45 hectares in size and comprises of a single, industrial / warehousing unit (known as Banbury 200) which is currently vacant. The western part of the application site comprises of surface level car parking which is currently separate from the neighbouring Banbury 200 site and forms part of the existing/former Jacobs Douwe Edberts car park.
- 2.2 The application site has historically formed 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 The application site borders a public footpath running along the south of the application boundary, with Southam Road Cemetery and an area of residential housing forming part of Neithrop located beyond it. The Site's western boundary is an area of hardstanding and Ruscote Avenue, which provides access to 'Musketeer' (pub) and an Aldi Store (supermarket).
- 2.4 The application site 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 western part of the application site also has access to the local highway network via an existing access point onto Ruscote Avenue.
- 2.5 The application 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.
- 2.6 The application site is not within a Conservation Area and there are no statutory listed heritage assets on or nearby the Site.
- 2.7 The application site and surrounding wider area located within Flood Zone 1 (low probability of fluvial flooding).

Planning History

- 2.8 The planning history for the site has historically been considered in two parts. The first related to the existing employment building and site, named Banbury 200. The second relates to the area of surface car parking to the west which forms part of the existing/former Jacobs Douwe Edberts car park.

Banbury 200

2.9 The Banbury 200 site includes a well-established employment building and site, which was previously refurbished and is currently vacant. More recently, consent was obtained for Banbury 200 to be used for the storage of operational vehicles, together with elevational and site amendments to facilitate the proposed use. It is therefore capable of being lawfully occupied for Class B8 uses (as approved under application 21/00503/F).

2.10 The proposals on this part of the site closely match the already approved development. Most of the differences proposed are internal to the building and therefore are not relevant for planning purposes. The changes to the approved development externally amount to:

- 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;
- 5 no. motorcycle parking spaces;
- 8 no. active electric vehicle charging bays and 444 no. passive electric vehicle charging bays;
- Lighting columns;
- Transformer and substation;
- Water sprinkler tank and pumphouse; and
- A soft landscaping scheme.

Area of Surface Car Parking

2.11 An opportunity has arisen to extend the approved van storage site to the west, to provide a greater number of van storage spaces. The extension would mean that the two parts of the site would operate as the same planning unit. As set out in the introduction, for reasons external to this application the car parking spaces are no longer required and therefore the proposals will make beneficial use of this redundant space. A review of the online planning register for the western part of the application site identifies there are no recent planning applications for this site. The site has been historically used as surface car parking serving the wider Jacobs Douwe Edberts

employment site. A Screening Opinion was however submitted in 2019 related to the redevelopment of the application site and part of the neighbouring Jacobs Douwe Edberts site.

2.12 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
Banbury 200			
21/00503/F	Use of the site for the storage of operational vehicles, elevational alterations, associated parking, vehicle barriers, guard hut and associated infrastructure.	Approved	15 th February 2021
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	Approved	27 th February 2019

	in size and one repositioned. Existing CAT ladder omitted. High level strip glazing extent reduced. (Proposed as Non-Material Amendments to 18/01246/F)		
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 external alterations, demolition of ancillary structures and new access to Southam Road.	Approved	20 th December 2018
Area of Surface Car Parking			
19/00033/SO	Screening Opinion: Demolition of existing office and proposed redevelopment of existing car park for a mixed-use scheme including use classes B1/B2/B8/A1/A5 drive-thru and surface level car park.	Screening Opinion: Not requesting EIA	21 st June 2019

3.0 PRE-APPLICATION DISCUSSIONS

- 3.1 A pre-application meeting was held virtually on 28th January 2021 with Samantha Taylor in relation to the provision of an electrical van storage area on our application site to support the B8 warehouse at Banbury 200, in addition to the provision of a Starbucks drive thru café and replacement car park on land neighbouring the site to the north and west.
- 3.2 Discussions were primarily held with regards to the proposed reconfiguration of the Jacobs Douwe Edberts land and the requirement for submitting applications concurrently in order to enable the relocation of the current car parking provision elsewhere on the Jacobs Douwe Edberts site.
- 3.3 With regards to the principle of the proposed van storage element relating to this planning application, the below was stated in the written response:

“It is also proposed to construct an extension to the car park and use this area for van storage. Whilst use of the site would remain for vehicle parking, a change of use application is required as the van storage is proposed to support a different B8 facility within Banbury and it is not directly related to the remainder of the site. The van storage would not be ancillary to the existing planning unit and for this reason, a change of use application would be required.

In terms of the principle of development, the use of the site would not be significantly different from the existing operation. In addition, the proposed use would be appropriate in the industrial/commercial context in which the site is set. The site is currently ancillary parking associated with the existing B1c/B8 facility and van storage would be B8, so the principle of development would be acceptable.”

- 3.4 Comments were also made with regards to Traffic, Transport & Highway Safety, Design & Landscaping and Amenity, related to the van storage element, Starbucks drive thru café and replacement car park. These are set out below and have been considered during the design of the planning application.

Traffic, Transport and Highway Safety

“In summary, the County Council would require a Transport Assessment, Construction Traffic Management Plan, Travel Plan and further consideration of the access arrangements to be part of a planning application. It is suggested that they may seek to impose 4 of their standard conditions, and it would be of benefit to any application if these details were forthcoming as part of the application, rather than require a subsequent condition discharge upon any grant of planning permission”

Design and Landscaping

“The proposal is situated within an industrial/commercial context, with residential properties close by. The van storage and extension include provision of new tarmac and necessary boundary treatments/gates. These are considered appropriate in their context.

Elevations of the proposed drive-thru have been provided. These show a single storey building of contemporary design. The plans show an upward projection of significant height, and it is recommended that this is removed to simplify the design detailing and allow the building to sit within the context positively. Other than this aspect, the design of the building is considered broadly acceptable.

The area of landscaping surrounding the existing culvert is shown to be retained along with trees along Ruscote Avenue in front of the drive-thru. This is considered acceptable.”

Air Quality, Noise, Odour and Light

“The Council’s Environmental Protection Team were consulted as part of the pre-application enquiry and note that given the proximity of residential properties to the south-west boundary (Nursery Drive), a Noise, Odour and Light Impact Assessment should be submitted, and any mitigation needed confirmed as part of any application. In addition, given the proximity of the Hennef Way Air Quality Management Area, an air quality assessment should be submitted. This should include damage cost calculations.”

4.0 PROPOSED DEVELOPMENT

4.1 The proposed development relates to the use of the application site as a van storage facility, in addition to associated elevation alterations and associated works and infrastructure to the application site to facilitate the necessary operation.

4.2 The proposed description of development is set out below:

“Use of the site for the storage of operational vehicles, together with elevational and site alterations, associated parking, welfare facilities, vehicle barrier and associated infrastructure”

Van Storage

4.3 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 the application site would only take place because the vehicles are required for the existing distribution operations. Therefore, the storage of the vans at the application site is a functionally linked necessity for the effective operation of the existing distribution centre to the north.

4.4 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.

4.5 Accordingly, the application site 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.

4.6 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.

- 4.7 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. It should be noted that the operator would look to make a significant investment in passive charging infrastructure at the outset, which would then allow for easy transition to active spaces when required by the business.
- 4.8 Furthermore, the proposed storage facility at the application site 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.
- 4.9 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.
- 4.10 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.
- 4.11 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.

4.12 Local drivers would arrive at the application site 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 the application site, collect their own vehicles (if they have driven to the application site), 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.

4.13 To facilitate the storage of vehicles the proposed development includes the following:

- Automated vehicle barriers and a manual access gate;
- 588 no. van storage spaces;
- 22 no. motorcycle parking spaces;
- 1 no. car parking space;
- Bicycle Store with 6 no. spaces;
- Passive electric vehicle charging points;
- Lighting columns;
- 8 no. active electric vehicle charging bays and 582 no. passive electric vehicle charging bays;
- Transformer and substations;
- A welfare cabin;
- A soft landscaping scheme;
- Elevational alterations to the existing warehouse, including;
 - Proposed van access point with cattle grid on the north western façade.
 - Proposed two van access points with cattle grids and ramps on the eastern façade of the existing warehouse.
 - 9 no. louvres and 2 no. new fire exit doors.
- Amendment of the location and size of the sprinkler tank
- Alteration to the location of the substations; and

- The proposed installation of a height restriction barrier.

Access

- 4.14 It is proposed to utilise the existing access point onto Southam Road, which is severed by a service road which is to be used by cars, vans, pedestrians and cyclists. Vehicles and cyclists will use the automated barriers for access, while the pedestrians will use the pedestrian access.
- 4.15 As approved under planning application reference 21/00503/F, the vehicular access will be controlled by an automated vehicle barrier and the application site will also be controlled by a security officer in a guard hut located next to the vehicle barrier at the access point.
- 4.16 The above material benefits have been recognised in the recent planning permission 21/00503/F. The changes between the approved development and the current development will simply extend these material benefits to allow for a greater number of vans to be stored.

5.0 PLANNING POLICY CONSIDERATIONS

- 5.1 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.
- 5.2 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.
- 5.3 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

- 5.4 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).
- 5.5 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).
- 5.6 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

- 5.7 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 81).
- 5.8 Local planning authorities are required to make provision for storage and distribution operators at variety of scales and in suitably accessible locations (paragraph 83).

Promoting Sustainable Transport

- 5.9 Paragraph 104 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 105).
- 5.10 In addition, it should be ensured that safe and suitable access can be achieved for all users (paragraph 110). Developments should create places that are safe, secure and attractive, and respond to local character and design standards (paragraph 112).
- 5.11 With regard to distribution centres, the NPPF specifically requires that proposals should make provision for sufficient parking to cater for their anticipated use (paragraph 109). 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

- 5.12 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 119). 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 120).

Achieving Well-Designed Places

- 5.13 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 130).

- 5.14 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 134).

Meeting the Challenge of Climate Change and Flooding

- 5.15 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 152). New development should be planned for in ways that can help reduce greenhouse gas emissions through location, orientation and design (paragraph 154). The NPPF also requires development to be directed away from areas at highest existing or future risk of flooding (paragraph 159). Where appropriate, planning applications should be supported by a site-specific flood-risk assessment (paragraph 167). Footnote 55 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

- 5.16 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 174).
- 5.17 Paragraph 183 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)

- 5.18 **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.
- 5.19 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.

5.20 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.

5.21 **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.

5.22 **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

5.23 **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.

5.24 **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.

5.25 **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.

5.26 **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.

5.27 **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.

- 5.28 **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.
- 5.29 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.
- 5.30 **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.
- 5.31 **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.

5.32 **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.

5.33 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.

5.34 **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.

5.35 **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.

5.36 **Local Plan (July 2015) Policy ESD 10** (Protection and Enhancement of Biodiversity and the Natural Environment) states 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 by protecting, managing, enhancing and extending existing resources, and by creating new resources.

5.37 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.

5.38 **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 \(September, 2007\)](#)

- 5.39 **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.
- 5.40 **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

- 5.1 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.

6.0 POLICY COMPLIANCE

Achieving Sustainable Development

- 6.1 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 western part of the application site is currently being used as surface car parking and the proposal seeks to make effective use of this previously developed land.
- 6.2 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

- 6.3 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.
- 6.4 As discussed above, the principle of the redevelopment of this brownfield site is considered acceptable. The application site 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.
- 6.5 The principle of development was also considered appropriate during the pre-application discussions and the recent planning application for the eastern part of the site. The proposed use would be appropriate in the industrial/commercial context in which the site is set, noting the application site is currently ancillary parking associated with the existing B1c/B8 facility and van storage would be B8, as such, the principle of development would be acceptable.

- 6.6 The proposed development will also enable the end user to reinforce their distribution network, engaging more critical workers and supporting an increased demand in E-commerce due to the current COVID-19 pandemic.
- 6.7 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

- 6.8 The proposed van storage area site shall form 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.
- 6.9 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. 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.
- 6.10 The site is accessible via alternative sustainable modes of transport other than the private car. The site benefits from being in an established employment area in proximity to a network of footways, bus services and rail services. We highlight that as part of the recent planning application on the Banbury 200 site (21/00503/F) contributions were secured towards improving the existing bus stops serving the site via a Unilateral Undertaking.
- 6.11 Vehicular access to the site will be achieved from an existing priority junction onto Southam Road, which is shared with a neighbouring Waitrose Service vehicle access and designed to accommodate vehicles that are larger than the types of vehicles that will access the proposed development. The Transport Statement sets out a collision review has demonstrated that the highway network in the vicinity of the site is not subject to any highway safety issues, a conclusion which has already been accepted by Oxfordshire County Council Highways Officers.
- 6.12 We highlight that this planning application has been submitted in tandem with two other planning applications on land which neighbours this planning application, which collectively form part of the wider the Jacobs Douwe Edberts site. The first proposes a replacement car park to the north of this planning application. The second proposes a retail (food) drive thru to the west of this planning application. Both applications are accessed via Ruscote Avenue and do not propose access to this planning application.

6.13 Prior to the submission of these applications, a transport strategy has been agreed between Vectos and the transport consultants appointed by the applicant for the other applications so to ensure a consistent approach. As part of the transport strategy, each site has been designated numbers for ease of reference:

- The recently approved planning application at Banbury 200 (21/00503/F) is designated as ‘Site One’;
- The proposed replacement car park planning application is designated as ‘Site Two’;
- The proposed Drive Thru planning application is designated as ‘Site Three’; and
- This application (comprising of the Banbury 200 site and the car park on the land to the west of it) is designated as ‘Site Four’.

6.14 As touched on within this statement and within the submission material for Site Two, the submission of separate concurrent planning applications allows the transfer of the existing surface car parking capacity to another part of the Jacobs Douwe Edberts site. As such, this acts as enabling development for our application.

6.15 As set out in the Transport Statement, the impact of the proposed development will also be outlined in detail within a separate Transport Statement prepared by DTA. Vectos have set out that based on the evidence presented by DTA it is clear that the effects of the wider JDE redevelopment proposals will not have an impact on the conclusions previously approved under 21/00503/F (related to Site One, Banbury 200), on the basis of the points below:

- A Starbucks Drive-Thru Café will mainly comprise pass-by trips and as such would result in a negligible increase in trips on the highway network.
- There will be a net reduction in available car parking spaces as a result of the existing surface level car park (i.e. 260 spaces) being relocated to provide 215 spaces on the site of an existing office building.
- The removal of an existing office building will reduce the trip generation from the JDE wider site.
- The net impact of the wider JDE proposals will result in an overall reduction in vehicle traffic in the peak travel periods and across the course of a day. In the morning and evening peak travel periods DTA has established there will be net reductions of approximately 80 and 65 vehicles respectively.

- 6.16 In light of the above, and given the additional storage spaces will attract traffic outside of the network peaks, Vectos consider there is no a need to revisit detailed capacity analyses previously presented for the Banbury 200 application 21/00503/F. As such, it is considered that the proposed enlarged van storage site will not have a severe impact upon the highway network.
- 6.17 In terms of parking, the Transport Statement sets out Cherwell District Council and Oxfordshire County Council have no set specific standards for cycle parking as such the level of cycle provision has had regard to 2011 Census data, which identifies 5% of all van drivers would commute to the site via bicycle which equates to 32 no. employees. There are 42 no. exiting cycle parking spaces and an additional 6 no. proposed on site, which can accommodate the anticipated demand and also provide future scope for an increased take up of sustainable travel to and from the site.
- 6.18 With regards to motorcycle parking, the Transport Statement also outlines Cherwell District Council and Oxfordshire County Council have no set specific parking standards and the level of provision has had regard to 2011 Census data, which identifies 1% of all van drivers would commute to the site via motorcycle which equates to 6 van drivers. As such, the 22 motorcycle spaces that have been provided at the site is more than sufficient in catering for the expected level of demand.
- 6.19 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.
- 6.20 In light of the above, the application site 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

- 6.21 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.
- 6.22 The van storage proposals provide a sufficient number of van storage bays to serve the existing distribution centre to the north along Southam Road. The application site 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 to the surrounding context.

6.23 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

6.24 As set out above, it is proposed to use the western part of the application site for the storage of operational vehicles, in addition to making alterations to the Banbury 200 site to enable its occupation by a proposed end user and to allow the two parts of the application site to operate efficiently.

6.25 The physical works to the existing warehouse are considered to be minor in scale and primarily relate to amendments to the exterior elevations related to the operation of the unit, with new doors proposed. Further works are proposed to external areas of the Banbury 200 site which related to the necessary infrastructure associated with the operation vehicle storage across the whole planning application, including substations and alterations to the layout of development previously approved under 21/00503/F.

6.26 The proposed van storage element on the western part of the application 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 wider planning application site. 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.

6.27 In terms of landscaping, the submitted drawings show high quality 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, 136 no. new trees are also proposed and shall contribute to enhancing the visual quality of the application site from the south west (including the public footpath and neighbouring residential area) and its ecological value.

6.28 The closest existing residential properties to the application site lie beyond the public right of way to the south west. Notwithstanding this, application site 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 and electrical plant 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 the Banbury 200 Site at the closest residential dwelling to the south west will result in a negligible noise impact during daytime or night-time.

- 6.29 Under a previous consent on part of the application site 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.
- 6.30 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.
- 6.31 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

- 6.32 The application site is located within Flood Zone 1 and measures more than 1 hectare in area. Consequently, in support of this application a Flood Risk Assessment has been prepared by Enzygo.
- 6.33 When considering flood risk, Enzygo's Flood Risk Assessment demonstrates that the proposed development would be operated with minimal risk from flooding and would not increase flood risk elsewhere.
- 6.34 A Drainage Strategy, prepared by EirEng, has also been prepared in support of this application. The report sets out the proposed surface water drainage and foul water drainage for the application site.
- 6.35 The proposed surface water from the site will drain via rainwater downpipes and slot drains to gravity sewers and suitably sized attenuation storage, in the form of a new geocellular storage tank which will provide 456m³ storage and will intercept all storm runoff and has been sized for 100yr plus 20% climate change allowance, with a sensitivity check undertaken using the 100yr plus 40% allowance that resulted in no predicted flooding.
- 6.36 With regards to foul drainage, EirEng outline the existing foul water drainage network is considered to be appropriate for the works proposed in this planning application. There are existing private foul sewers serving the existing building on the site will be unaltered as part of the proposed works and will continue to discharge to the existing public sewer on Southam Road. The only additions

will be new foul gullies serving the proposed sprinkler tanks and pump house, and proposed bin storage area.

6.37 Accordingly, the drainage strategy concludes that the proposed development would be operated with minimal risk from flooding and would not increase flood risk elsewhere.

6.38 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

6.39 The application site 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.

6.40 The assessment identifies that during the construction phase, there is a low to 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.

6.41 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 results of the assessment and the implementation of the proposed mitigation measures during the construction phase, the AQA considers the proposed development complies with national and local planning policies and there are no air quality constraints considered to restrict planning consent.

6.42 As illustrated in the plans submitted with the application, it is proposed to remove some of the existing trees, 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 36 no. trees and 9 no. tree groups, none of which are covered by Tree Preservation Orders (TPOs), or are within a Conservation Area.

6.43 The report identified 4 no. trees (T10, TG11, T12 and T23) as offering low roosting potential due to dense ivy cladding or damage at the base of the trees. 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).

- 6.44 It is considered the application site would benefit from native deciduous tree planting throughout the site, with a focus along the southern and western edges of the site and within the van storage areas to provide additional screening and complement the surrounding landscape, which is reflected within the proposed landscaping plan.
- 6.45 Furthermore, Delta Simons have also produced an Arboricultural Impact Assessment and an Arboricultural Method Statement for Enabling and Construction Phases of Work. The two reports set out the proposed measures of protection for the existing trees on site and propose mitigation measures in order to ensure no detrimental harm of these existing site features.
- 6.46 The application site 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 Preliminary Ecological Appraisal 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 the application site in accordance with the recommendations of the arboricultural report prepared for the application site.
- 6.47 The Preliminary Ecological Appraisal recommended site enhancements which have been incorporated into the Landscaping Scheme, including insect hotels and a range of native planting across the site.
- 6.48 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 the application site. The Assessment notes the redevelopment of the application site 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 no further 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.

6.49 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

6.50 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 the application site.

6.51 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

6.52 No public comments were received from the most recent planning applications on the site, approved under planning application reference 21/00503/F or 19/00886/F.

6.53 However, a review of a historic 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).

6.54 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...”

- 6.55 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.
- 6.56 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.
- 6.57 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.
- 6.58 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.
- 6.59 We therefore consider the proposed development to have sufficiently addressed local residents concerns with regards to the proposed development.

Public Right of Way Statement

- 6.60 As set out within the validation requirements, a Public Right of Way Statement is required if development affects an existing right of way.

- 6.61 The application site neighbours an existing public footpath which is situated between the Site boundary and the neighbouring Southam Road Cemetery and area of residential housing (Named: 120 100/10).
- 6.62 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.

7.0 PLANNING BENEFITS

- 7.1 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.
- 7.2 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.
- 7.3 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 proposed development 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.
- 7.4 In terms of biodiversity, the report produced by Delta Simons demonstrates there are no protected or priority species or habitats at the application site. A landscaping scheme has been prepared by Urban Wilderness that shows areas of landscaping, all of which will enhance the appearance of the application site 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 the overall application site by proposing native planting, insect holes, shrubs and hedging, 136 no. new trees, in addition to the enhanced scheme recently approved under planning application reference 21/00503/F.
- 7.5 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.
- 7.6 Overall, the proposed development represents an opportunity to make efficient use of this existing employment site in such a way that provides a variety of economic, social and environmental benefits.

8.0 CONCLUSION

- 8.1 The application site comprises of a square shaped plot of land providing an existing warehouse unit and an area of surface car parking on the western part of the site.
- 8.2 The subject of this planning application is to provide a secure van storage facility close to the existing distribution centre located to the north along Southam Road. The proposals represent a minor change to an approved development scheme and an extension of the van storage area to the west.
- 8.3 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.
- 8.4 In summary, these proposals represent sustainable development, securing an employment generating economic use on a site allocated for employment uses. 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.
- 8.5 The development has been demonstrated to be compliant with the Development Plan and, therefore, warrants support from the Local Planning Authority.