

Case Officer: Caroline Ford

Recommendation: Approval

Applicant: Elizabeth Wright

Proposal: Compound and enclosure for siting of 3 no. LPG tanks within car park of approved hotel

Expiry Date: 3 October 2019

Extension of Time:

1. APPLICATION SITE AND LOCALITY

1.1. The application site forms part of the car park of the hotel development approved as the first phase of the Bicester 10 allocated site. The hotel site is to the south of Bicester on a parcel of land between the A41, Wendlebury Road and to the north of Shouler Way. The site is accessed from the Wendlebury Road and hedgerows remain around the edge of the site.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. The application proposes a compound and enclosure for the siting of 3 LPG tanks. The LPG tanks would essentially be surrounded by the proposed enclosure which would be a 2m fence of varying sized slats with it therefore not being an entirely solid enclosure. Two lockable gates would also be included at 2m high.

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
16/02586/OUT	Phase 1 of the proposed new business park ("Bicester Gateway") comprising up to 14,972 sq m (Gross External Area) of B1 employment based buildings, plus a hotel (up to 149 bedrooms), with associated infrastructure, car parking and marketing boards	Approved
17/02557/REM	Reserved matters to 16/02586/OUT - Erection of hotel and associated works	Approved
19/00061/NMA	Non-Material Amendment to 17/02557/REM - 3 no. LPG tanks within the car park and updated hard and soft landscaping.	Refused

3.2. The NMA proposal sought approval for the LPG tanks and their surrounding enclosure to be positioned centrally within the car parking area. Whilst it was concluded that the proposal was not a non-material amendment, advice was also provided that a more discrete location for the tanks and enclosures was required

due to the position chosen and applied for through the NMA being considered unsuitable.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No formal pre-application discussions have taken place with regard to this proposal, however following the refusal of the NMA application, Officers did informally review a couple of alternative locations for the tanks giving guidance on their likely acceptability and what matters would need to be considered as part of a planning application.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site. The final date for comments was **30 September 2019**, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. No comments have been raised by third parties.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. Chesterton Parish Council: **No comments** received

CONSULTEES

- 6.3. OCC Highway Authority: **No objection** – the proposal results in the loss of 5 parking spaces. If the hotel were at full occupancy, then other parking opportunities exist within the vicinity including the park and ride site opposite. As such, the proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view.
- 6.4. CDC Environmental Health: **Comments** - It would appear that the applicant has considered everything they need to, however there are a number of matters that should be borne in mind.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment
- Bicester 10 – Bicester Gateway

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Amenity
- Highway safety
- Environmental considerations

Principle of the development

8.2. The principle of providing the LPG tanks within the approved boundary of the hotel site is considered to be acceptable in principle as they are supporting services to the hotel.

Design and impact on the character of the area

8.3. Policy ESD15 of the Cherwell Local Plan requires development to meet high design standards and to complement and enhance its surroundings.

8.4. The reserved matters application for the hotel site would have considered the design, layout and landscaping impacts for the site as a whole to ensure that the site met the requirements of planning policy and represented good design. As the current proposal represents an ancillary addition to the car parking area, it is necessary to consider what impact it will have upon the site as a whole and what impact the current proposal has in terms of meeting policy requirements.

8.5. In light of discussions undertaken when considering the originally proposed location for the LPG tanks (sought to be authorised by the NMA), a more discrete location for the infrastructure was identified. The position at the northern end of the car park will still be visible from the car parking area but it is tucked at one corner of the site and therefore will not be overly prominent. In my view the position now proposed is acceptable. The tanks themselves will be surrounded by a 2m high fence of varying sized timber slats. This will be a suitable finish for the fencing given it allows some glimpses through rather than a solid finish. Whilst the compound is a less than desirable feature in the car park, it is positioned in an appropriate location and the finish of the enclosure is suitable. Additionally, a substation is part of the approved scheme, situated at the opposite end of the car park enclosed by a similar timber screen to that now proposed so the current proposal will not appear out of place.

- 8.6. As the proposal is positioned on approved car parking spaces, it will not impact the approved landscaping scheme and this is acceptable. In light of the above, I consider the proposal complies with Development Plan policies that seek to secure good design.

Amenity

- 8.7. There are no residential properties within the vicinity of the site that would be affected by the proposed development. The compound is also positioned far enough away from the hotel building itself to avoid any impacts upon guests of the hotel. The proposal would therefore provide a standard of amenity acceptable in policy terms.

Highway safety

- 8.8. The proposal is to position the compound within the car park, resulting in the loss of 5 spaces. The hotel building was originally provided with 149 spaces giving a ratio of one per hotel room which follows OCC parking standards guidance. Whilst the loss of 5 parking spaces is regrettable, the risk of there being a problem is limited in my view and, I agree with the Highway Authority that if there were a problem, there are opportunities close by (such as the Park and Ride site), where parking could occur. As such, I would agree with the OCC Transport team that the loss of the five spaces would not have an adverse impact on the local highway network.

Environmental considerations

- 8.9. The Environmental Health team have provided a list of matters to consider in terms of the location of the LPG tanks. I agree that the applicant has considered the positioning of the tanks and that they are unlikely to be unacceptable in terms of environmental protection considerations. The approved landscaping plan provides for a native hedgerow mix to be provided to the rear/ side of the enclosure. In terms of the drainage, the originally approved scheme utilised permeable paving. This proposal will replace this element of permeable paving with a concrete/ impermeable area. Whilst this represents a change to the drainage scheme, it is not a significant change and the surrounding area has not changed and remains permeable. In addition, the original scheme showed tracking for a tanker to this area of the site therefore it can be accessed by service vehicles.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. As per the appraisal, I consider that the proposal represents an acceptable form of development and therefore complies with planning policy. In light of this, the application is recommended for approval.

10. RECOMMENDATION

That permission is granted, subject to conditions.

Case Officer: Caroline Ford

DATE: 26 September 2019

Checked By: Alex Keen

DATE: 02 October 2019
