

NOTICE OF DECISION
TOWN AND COUNTRY PLANNING (GENERAL
PERMITTED DEVELOPMENT) (ENGLAND)
ORDER 2015

Name and Address of Agent/Applicant:

DRK Planning Ltd
215 Alfred Court
53 Fortune Green Road
London
NW6 1DF

Office (B1) to Residential (C3) "Prior Approval" Determination

Date Registered: 31st July 2020

Proposal: Change of use to 18 x 1-bedroom flats (Class C3)

Location: Leisure Interiors 2000, 47F Broad Street, Banbury, OX16 5BT

Parish(es): Banbury

REFUSAL OF PERMISSION FOR PRIOR APPROVAL

The Cherwell District Council as Local Planning Authority has determined on the basis of the information submitted that its **Prior Approval is required** for the proposed development specified above but that it is hereby **REFUSED** for the reason(s) set out in the attached schedule.

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA



David Peckford
Assistant Director – Planning and
Development

Date of Decision: 25th September 2020

Checked by: Nathanael Stock

REASONS FOR REFUSAL

1. The gross floor space of the building to which this application relates exceeds 500 square metres. It therefore fails to accord with criterion (d) of Class PA to Schedule 2 Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is not permitted development.
2. The proposed development would fail to provide an adequate means of access to the site to serve the proposed dwellings. Further, given the constrained nature of the site and lack of any dedicated pedestrian access route, the proposals would result in conflict between pedestrian and vehicular movements. As a result, the proposed development would detrimentally impact on highway and pedestrian safety and convenience as result of the intensified use of the existing substandard access. The proposed development would therefore result in significant and demonstrable harm to local highway safety and is therefore contrary to Policy ESD15 of the Cherwell Local Plan Part 1 and Government guidance contained within Section 9 of the National Planning Policy Framework.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, Cherwell Council has given consideration to whether amendments or additional information would overcome its concerns with the application, but unfortunately it has concluded that it would not be possible to resolve those concerns within the scope and timescales of this application. Cherwell Council has resolved that the application proposals do not amount to sustainable development and consent must accordingly be refused.

The case officer's report and recommendation in respect of this application provides a detailed assessment of the merits of the application when considered against current planning policy and guidance, including consideration of the issues raised by the comments received from consultees and members of the public. This report is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp> .