

Case Officer: Rebekah Morgan

Recommendation: Approve

Applicant: Mr John Miller

Proposal: Extension to existing commercial building to provide workshop and offices. Provision of 7 no. parking spaces.

Expiry Date: 11 January 2024

Extension of Time: 11 January 2024

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located to the north of Wendlebury. The site is comprised of three commercial buildings arranged in a linear format with associated yard. The planning history shows the current use of the buildings is light industrial and storage use (Use Classes B1/B8).
- 1.2. The existing buildings are portal frame buildings with metal cladding positioned along the northeast boundary of the site and separated from the A41 by a belt of mature landscaping. The site history shows the requirement for a landscaping bund around the site which is not currently complete.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application has been amended during the application process and only seeks consent now for the extension of an existing building to provide a workshop at ground floor level and offices at first floor. The proposal includes the provision of 7 no. additional car parking spaces to meet the needs generated by the proposed extension.
- 2.2. The proposed extension would measure approximately 10m in width along the front (southeast) elevation, increasing to 14m along the rear elevation, with a depth of 7m. The proposed 2-storey extension would have a maximum height of 6.2m.

3. RELEVANT PLANNING HISTORY

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

15/00727/F: Change of Use of barn to light industrial and storage use (Class B1/B8). APPROVED.

16/02487/F: Extension of existing building and yard area for B1 and B8 use. APPROVED.

22/03756/F: Additional building within existing yard area for associated B1 and B8 use. APPROVED.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **27 October 2023**, and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **19 December 2023**.
- 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. WENDLEBURY PARISH COUNCIL: No objection.
- 6.3. CHESTERTON PARISH COUNCIL: No objection.

CONSULTEES

- 6.4. OCC HIGHWAYS: No objection – this proposal is unlikely to have a detrimental impact on the highway in terms of safety or convenience.

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 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced several 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 2015)

- PSD1: Presumption in Favour of Sustainable Development
- SLE1: Employment Development
- ESD1: Mitigating and Adapting to Climate Change
- ESD3: Sustainable Construction
- ESD5: Renewable Energy
- ESD15: The Character of the Built and Historic Environment

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)

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
- Residential amenity
- Highway safety

Principle of development

8.2. Policy SLE1 of the CLP 2015 sets out the Council's strategy for the location of employment development within the District. The policy states '*Employment development will be focussed on existing employment sites. On existing operational or vacant employment sites at Banbury, Bicester, Kidlington and in the rural areas employment development, including intensification, will be permitted subject to compliance with other policies in the Plan and other material considerations*'. With respect to new employment proposals within rural areas on non-allocated sites, development will be supported but only if it meets the criteria listed in the policy.

8.3. The planning history for the site shows that employment uses commenced on the site following the granting of consent in 2015 for the change of use of an existing barn to light industry (15/00727/F). This was followed by an extension to the building and creation of a yard area in 2016 (16/02487/F).

8.4. The proposed development that is subject to this application would be an extension to an existing building within an existing employment site. Therefore, the proposal is being assessed against Policy SLE1 of the CLP 2015 in the context of an existing employment site and is therefore acceptable in principle.

Design and impact on the character of the area

8.5. The design of the proposed extension has a similar appearance to the existing buildings on the site; i.e., steel portal frame building with low level block work and metal cladding to the walls and roof. The building would have an eaves height that sits slightly lower than the adjoining main building.

8.6. The application has been amended since original submission to remove what was initially proposed as a stable building and to remove a suggested balcony area.

8.7. The site is well screened from the A41 and to the east of the site due to existing mature trees and landscaping along the boundaries. The location of the building within the site is set back significantly from the Wendlebury Road and not clearly visible from outside the site.

8.8. As revised, the design of the proposal is acceptable. It has a similar appearance to a barn and is in keeping with the other buildings on the site. Overall, the development would not be overly prominent or visible from longer distance views. Any partial/glimpse views of the development would be in the context of the existing buildings on the site.

Residential amenity

8.9. The application site is situated away from the surrounding villages of Bletchington, Chesterton and Wendlebury and therefore would not cause concerns in terms of noise in relation to residential properties.

- 8.10. Furthermore, the proposal would be located adjacent to existing commercial buildings and will be used in a similar manner.
- 8.11. The previous applications (16/02487/F and 22/03756/F) included planning conditions that place restrictions on the site in terms of hours of operation and preventing machinery being operated outside. This was to ensure the creation of an environment free from intrusive levels of noise and activity. This application does not change the relationship with the nearest residential properties and therefore it would be necessary and appropriate to impose similar conditions on this consent and ensure consistency across the whole site.
- 8.12. The proposed development would have an acceptable relationship with the nearest residential properties and would not have a detrimental impact on residential amenity.

Highway safety

- 8.13. The proposal will utilise the vehicular access used by the existing commercial units on the site. The site layout provides car parking spaces that are easily accessible and separate from the main manoeuvring area for the larger commercial vehicles. The layout appears to provide sufficient space for the manoeuvring of vehicles for both the existing and proposed buildings on the site.
- 8.14. The Local Highway Authority has advised that '*overall, this proposal is unlikely to have any detrimental impact on the highway in terms of safety or convenience*'. The proposal would not have a detrimental impact on highway safety and is therefore considered to be acceptable in this regard.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF (Dec.'23) 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. The proposal seeks to extend a building within an existing employment site in the rural area providing additional employment opportunities. The design of the building is in keeping with the site and would not be overly prominent in the wider landscape. There are no other adverse impacts associated with the proposal.
- 9.3. Accordingly therefore, permission can be granted.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents:

- Drawing number 7243-01 – [Existing plans, Block Plan and Site Plan]
- Drawing number 5742/20 – [Site Plan]
- Drawing number 5742/21A – [Plan, elevations and section]

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. The materials to be used for the external walls and roof of the development hereby permitted shall match in terms of colour, type and texture those used on the existing buildings on the site.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site without the grant of further specific planning permission from the Local Planning Authority.

Reason: In the interests of the appearance of the site and the amenities of the area and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. The building shall not be used, or the site operated, for the purposes hereby approved other than between the hours of 0730 to 2000 Mondays to Fridays, 0830 to 1600 Saturdays, and the building shall not be used or the site operated on Sundays or Bank or Public Holidays.

Reason: To ensure the creation of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. No machinery shall be operated, or industrial processes undertaken, outside of the building.

Reason: To ensure the creation of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Rebekah Morgan

DATE: 03/01/2024

Checked By: Andy Bateson

DATE: 4th January 2024
