

7 September 2021  
L 210902 RB Covering Letter



Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
OX15 4AA

Rebecca Bacon  
E: rebecca.bacon@savills.com  
DL: +44 (0) 1865 269 176  
F: +44 (0) 1865 269 001

Wytham Court  
11 West Way  
Oxford OX2 0QL  
T: +44 (0) 1865 269 000  
F: +44 (0) 1865 269 001  
savills.com

Dear Sir/Madam

**Change of Use from Horticulture to Class E  
Bright Green, School Lane, Cropredy, Banbury, OX17 1PX  
On behalf of Hualix Developments  
Planning Portal Reference: PP-10184585**

Savills is instructed by Hualix Developments (hereafter 'the applicant') to submit an application for the change of use of from horticulture to Class E at Bright Green, School Lane, Cropredy. No internal or external alterations are proposed as part of this application.

The application is supported by the following:

- Application Forms;
- Site Location Plan 1:2500;
- Block Plan 1:1250;
- Photographs of the site.

**Site Context**

The site is located in Cropredy, approximately 4 miles north of Banbury. The site is accessed from School Lane which is a two lane road off Station Road.

Cropredy Primary School is located on the junction of School Lane and Station Road. Residential dwellings and agricultural barns and fields are also accessed off School Lane near the site.

The site lies to the south-west of the Oxford Canal and Oxford Canal Conservation Area.

Cropredy is a Category A village within the adopted Local Plan. There are no defined settlement boundaries for Cropredy.

**Planning History**

The following table sets out the planning history for the site as available on the Cherwell District Council planning application search.

Location	Planning Application Reference	Description of Development	Decision	Date of Decision
----------	--------------------------------	----------------------------	----------	------------------

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East..

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS. A subsidiary of Savills plc. Registered in England No. 2605138.  
Registered office: 33 Margaret Street, London, W1G 0JD



Green Interiors	14/01379/F	Change of use from horticultural to B1 business, small changes to front and rear entrance of building to add glazed doors and fire escapes and addition of car parking and landscaping around building.	Permitted	19/12/2014
Green Interiors	14/00051/SO	Screening opinion to - 14/01379/F - Change of use from horticultural to B1 business, small changes to front and rear entrance of building to add glazed doors and fire escapes and addition of car parking and landscaping around building.	No information on website	
Green Interiors, The Straw Barn	15/02093/F	Replacement of a polytunnel with a wooden storage shed	Permitted	01/03/2016
OS Parcel 7800	12/00611/F	Change of design of greenhouse and new fenced compound with partially covered area for secure storage	Permitted	21/11/2012
OS Parcel 7800	10/01087/F	Use of land for Horticultural Nursery including greenhouse, poly tunnel, barn and parking/access area - resubmission of 10/00038/F	Permitted	06/10/2020
OS Parcel 7800	10/00038/F	Use of land for Horticultural Nursery including greenhouse, poly tunnel, barn and parking/access area (as amended by Agent's letter dated 08.03.10 and amended plan No's 4896-02a, 4896-03a, 4896-01a)	Refused	26/04/2010

The application 10/01087/F establishes the use of the site as a horticultural nursery.

Greens Interiors (now called Bright Green) applied for permission for use of the site as a horticultural nursery in 2010. At the same time, planning permission was granted for a new barn (The Straw Barn), a greenhouse and poly tunnel. In 2016, planning permission was granted to replace this polytunnel with a wooden storage shed.

In 2012, planning permission was granted to change the design of the greenhouse and erect a new compound.

In 2014, planning permission was granted for the change of use of the north western corner of the site to Use Class B1. The use is now Use Class E following the change to the Use Class Order. This building was converted into offices and a showroom for designers and clients to visit.

### Nature of the Business

Since 2010 the nature of the business has evolved. The company has grown in size and reputation to become the leading manufacturer and supplier of replica plants to the commercial sector. The company has therefore moved away from its main use being horticulture.

The core of the business is as an interior and exterior landscaper supplying plants to corporate offices throughout the UK. The business also manufactures artificial and preserved foliage trees, designs and manufactures preserved and artificial green walls and green art pictures.

The company does not sell directly to the public and does not have a sales floor or shop front. Any sales are carried out via the internet and mail order. There is a showroom for designers to visit but this is not open to the general public.

The business had previously been exempt from business rates due to its horticulture nature. However, this was re-assessed around 18 months ago and the business does now have to pay business rates on the offices and workshops as the business is no longer viewed as purely horticultural.

## **Proposal**

This planning application seeks change of use of part of the site to Class E to reflect the current use of the site. There will be no change to the operations on the site, the application seeks to establish the current use as Class E.

The application relates to the Straw Barn, compound area, wooden storage shed and parking area. The north west part of the site has an established Class E use following grant of planning permission under application reference 14/01379/F.

This application seeks to formalise the current use of the site as the business has evolved and horticulture is no longer the main use of the site.

## **Use Class Order**

The application seeks to formalise the site as Class E. Schedule 2 of the Use Classes Order at Part A point (g) for Class E. Commercial, Business and Service states:

*“(i) an office to carry out any operational or administrative functions,  
(ii) the research and development of products and processes, or  
(iii) any industrial processes,  
Being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit”*

This covers the uses being carried out on the site and it is therefore considered the use of the site falls into Class E. The business does not create any noise or other impact that would be to the detriment of neighbours.

## **Policy**

### National Policy

The National Planning Policy Framework (NPPF) was updated in 2021. Section 6 relates to “Building a strong, competitive economy”.

Paragraph 81 states that “planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity”.

Paragraph 84 states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas.

The NPPF therefore supports the business and its sustainable growth and expansion.

## Local Policy

The development plan for Cherwell District Council comprises:

- Cherwell Local Plan 2011-2031 (Part 1) (LPP1)
- Cherwell Local Plan 2011-2031 (Part 1 ) Partial Review – Oxford’s Unmet Housing Need
- Saved Policies from the Cherwell Local Plan 1996

The Council are preparing the Cherwell Local Plan 2040 however this is at very early stages and is not considered below.

Policy SLE 1 (Employment Development) in the LPP1 seeks to retain existing employment uses. The policy states employment development will be focused on existing employment sites. Intensification will be permitted subject to compliance with other policies in the Plan and other material considerations. The policy sets out criteria for when new employment proposals within rural areas will be supported. This includes that the proposals:

- respect the character of village and surroundings,
- will have no significant adverse impacts on the character of a village or surrounding environment,
- can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally,
- will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car

Saved Policy EMP4 supports proposals for employment generating development within an existing acceptable employment site, provided the proposals can be carried on without undue detriment to the appearance and character of the rural landscape and without harming the amenities of settlements or the special character and interest of a building of architectural or historic significance.

It should be noted that the proposed use of the site is not changing and is not being intensified. No new buildings are proposed and there will be no increase in traffic. The proposed use will therefore not have a greater impact on the landscape or on the highways network.

The site is an existing employment site and is not proposed to be intensified. This application seeks to formalise the use of the site through a planning application as the business has grown, expanded and adapted over the last ten years. The local plan and national planning policy supports the business use of the site. Paragraph 81 seeks to help create conditions that enable businesses to expand and adapt. There is therefore policy support for the business’ use of the site and the principle the change of use application is considered acceptable.

No physical changes are proposed and therefore there would be no impact on the appearance and character of the landscape or village. There would be no increase in traffic movements or change to the nature of traffic movements along School Lane and therefore the proposal complies with the relevant parts of Policy SLE1 and ENV1.

Previous applications at the site have restricted delivery times to the site during the peak school drop off and pick up times in order to avoid potential conflict between school traffic and commercial vehicles accessing the site. The applicant would accept the same condition.

## **Summary and Conclusion**

This statement has examined the planning background of the site, the planning history of the site and the relevant national and local planning policy framework in respect of the proposed change of use from horticulture to Class E.

The change of use seeks to formalise the existing use on the site as the business has grown and adapted over



the past ten years. No change to the existing operations is proposed as a result of this application. The main use of the site is no longer horticulture and the existing uses of the site now fall into Class E. National and local planning policy encourage the growth of rural businesses and seek to retain existing employment sites. The use of the site is therefore supported by planning policy and the change of use to formalise the existing use is considered acceptable.

If you require any further information regarding this application, please do not hesitate to contact me on the contact details above.

Yours sincerely



Rebecca Bacon MRTPI  
Senior Planner