

*Jones Lang LaSalle Incorporated*

# *Planning Statement*

**Demolition of existing office building and erection of  
surface level car park**

**Ruscote Avenue, Banbury**

Jacobs Douwe Egberts

December 2021



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# 1 Introduction

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- 1.1 This Planning Statement has been prepared by JLL on behalf of Jacobs Douwe Egberts (hereafter referred to as ‘JDE’ or ‘the Applicant’) to accompany a full planning application for the demolition of an existing vacant office block and the provision of a surface level car park at the JDE premises, Ruscote Avenue, Banbury.
- 1.2 The proposed surface level car park will provide replacement parking for JDE employees, as this submission will be submitted concurrently with two separate applications which both seek to redevelop the existing JDE car park site, situated to the south. As such, the surface car park application will not result in a net increase in parking for JDE.
- 1.3 The formal description of the development for which planning permission is sought is as follows:

*“Demolition of existing office and erection of surface level car park providing 215 replacement car parking spaces, including landscaping and other associated works.”*

## **Purpose and Structure of Statement**

- 1.4 The purpose of this Planning Statement is to provide details of the application proposal and an assessment against relevant national and local planning policies, which form material considerations in its determination.
- 1.5 This Statement is structured as follows:
- **Section 1** provides this introduction and sets out the formal description of development that is the subject of this application.
  - **Section 2** contains a description of the application site, the surrounding area and relevant planning policy designations.
  - **Section 3** explains the background to the proposals, including key drivers behind the proposed development and a summary of the site’s planning history, including pre-application engagement.
  - **Section 4** provides a detailed description of the proposal, including an explanation of the scheme in terms of land use, layout, appearance and accessibility.
  - **Section 5** identifies the national and local planning policy framework of relevance to the application.
  - **Section 6** provides an assessment of, and justification for, the proposed development in land use terms and in relation to other relevant planning considerations.
  - **Section 7** comprises a summary of the key points raised by this Statement and the overall conclusions.
- 1.6 This Statement and the application are accompanied by a number of other reports. These include:
- Arboricultural Impact Assessment and Pre-Development Tree Survey;
  - Ecological Assessment;
  - Design and Access Statement;
  - Tree Constraints Plan, Tree Retention, Protection and Removal Plan, Landscape Concept Plan and Landscape Concept Sections;
  - Proposed External Lighting Layout;
  - Transport Statement and Framework Travel Plan.

- 1.7 A full set of existing and proposed plans are included as part of the application package.

## 2 Site Description and Surroundings

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- 2.1 This section describes the application site, its surroundings and identifies site designations of relevance to this application.

### APPLICATION SITE DESCRIPTION

- 2.2 The application site is located circa 1 mile north east of Banbury Town Centre, extends to 2.25 acres and forms part of the wider Jacobs Douwe Egberts site (hereafter referred to as “JDE”). It is currently underutilised, comprising a vacant office building with limited car parking for JDE and an area to the front which is laid to grass.
- 2.3 The office floor area comprises 4,415sqm over 5 floors and there are a total of 43 car parking spaces within the development boundary. Whilst the office building became completely vacant in 2015, the second, third and fourth floors actually became vacant earlier, in 2012. The building is dated, unattractive, detracts from the appearance of the wider area and can no longer be put to beneficial use, without substantial upgrading.
- 2.4 Access to the site is gained from Ruscote Avenue, which forms the north-western boundary. To the east and north of the site is the remainder of the JDE premises, whilst the southern boundary comprises the main vehicular entrance to the site and further to the southeast is a former JDE warehouse, which has recently been renovated. The site benefits from shrub and tree planting along the Ruscote Avenue boundary.

### SURROUNDING AREA

- 2.5 The surrounding area is mixed in terms of character and comprises a wide range of ‘out of town’ retail uses typically found in urban ring road locations, as well as industrial, warehousing, storage and distribution, and leisure uses.
- 2.6 Directly to the north of the wider JDE site is a retail park including out of town retailers such as Home Bargains, Tesco Extra, Currys PC World and Argos. Beyond this to the north and west is an industrial and warehousing estate (Beaumont Road) which accommodates companies such as Kanneiesser, Graf UK, Encase, Magna. An Aldi has also recently been built at the southernmost part of this retail / industrial area, to the southwest of the application site.
- 2.7 In light of the above, Ruscote Avenue forms an established industrial, trade and bulky retail area, providing excellent links to the M40.
- 2.8 Another retail park lies to the east of the application site, beyond Southam Road and accommodates further out of town retailers including Homebase, B&Q, Halfords, Tops Tiles and Dunelm (amongst others). The south and southeast of the site are residential in character, with Banbury Town Centre to the southwest.

### DESIGNATIONS

- 2.9 This site is designated within the Cherwell Local Plan (2015) as an Existing Strategic Employment Site and it falls within Flood Zone 1 (1 in 1,000 annual probability of river or sea flooding).

## 3 Background and Planning History

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- 3.1 This section provides context to the application proposal by briefly summarising the background and the drivers behind the application proposal, which is then described in Section 4. It also provides a summary of the planning history of relevance to this application.

### BACKGROUND

- 3.2 The application site was originally occupied by Kraft Foods UK Ltd., which then transferred into Mondelez following the split of Kraft Foods UK Ltd in 2012. Mondelez retained the building and in 2014 the company announced plans to merge the coffee part of their business with DE Master Blenders which was approved in May 2015. The merged business became known as Jacobs Douwe Egberts and the site is now owned by Jacobs Douwe Egberts Ops GB Ltd (hereafter referred to as “JDE”).
- 3.3 JDE remain in the main building which accommodates their UK production plant and is one of Banbury’s largest employers. Prior to the merger, there had been a consolidation of core activities within the existing site buildings. This rationalisation released unoccupied space that served no useful purpose and resulted in a considerable amount of redundant space on the wider site.
- 3.4 JDE opted to sell much of the redundant land and buildings to the southeast of the site so that it could be brought into more meaningful use. As a result, a number of applications have come forward over the last 4 years, to bring redundant land and buildings into more meaningful use. The first of these was for a new Waitrose food store, which was approved on former JDE land to the southeast of the site, with a new access from Southam Road (ref: 15/00831/F approved on 27<sup>th</sup> July 2016).
- 3.5 A further application has been approved more recently for the change of use of a former JDE warehouse directly to the southeast of the site, from B8 use to include B1(c)/B2/B8 uses alongside internal and external alterations (ref: 18/01246/F, approved on 25<sup>th</sup> July 2018). These two applications represent the first phase of the current owners of that land (Paloma Capital’s) improvement programme.
- 3.6 The Applicant is now considering other underutilised parts of the site, which include the vacant office building on the application site, the existing employee car park to the south of the site (which is subject to a long lease to JDE), as well as their overall parking requirements in light of the planning approvals above and resultant reduction in overall floor space.
- 3.7 As such, JDE were proposing two further phases of development; an application for the replacement car parking of the main JDE Site (this application), such that the employee car park can then be redeveloped as part of a separate application to provide employment units, a retail unit and a drive thru café. This principle was approved was accepted by the officers at Cherwell District Council and an application was drawn up ready for submission, however, market conditions have meant that the proposed redevelopment scheme was not viable and was reconsidered before it could be submitted.
- 3.8 Paloma Capital has continued to consider a suitable development for the car park site and having been approached by a logistics operator, Paloma Capital has now developed a proposal which includes two distinct elements. These two elements include the provision of a Starbucks drive thru café (this element is unchanged from the pre-application proposals in 2018) (Site 3) and the provision of an electrical van

charging / storage area to support a B8 warehouse already based in Banbury (Site 4). Figure 1 below identifies how the proposed applications have been separated into four separate sites.

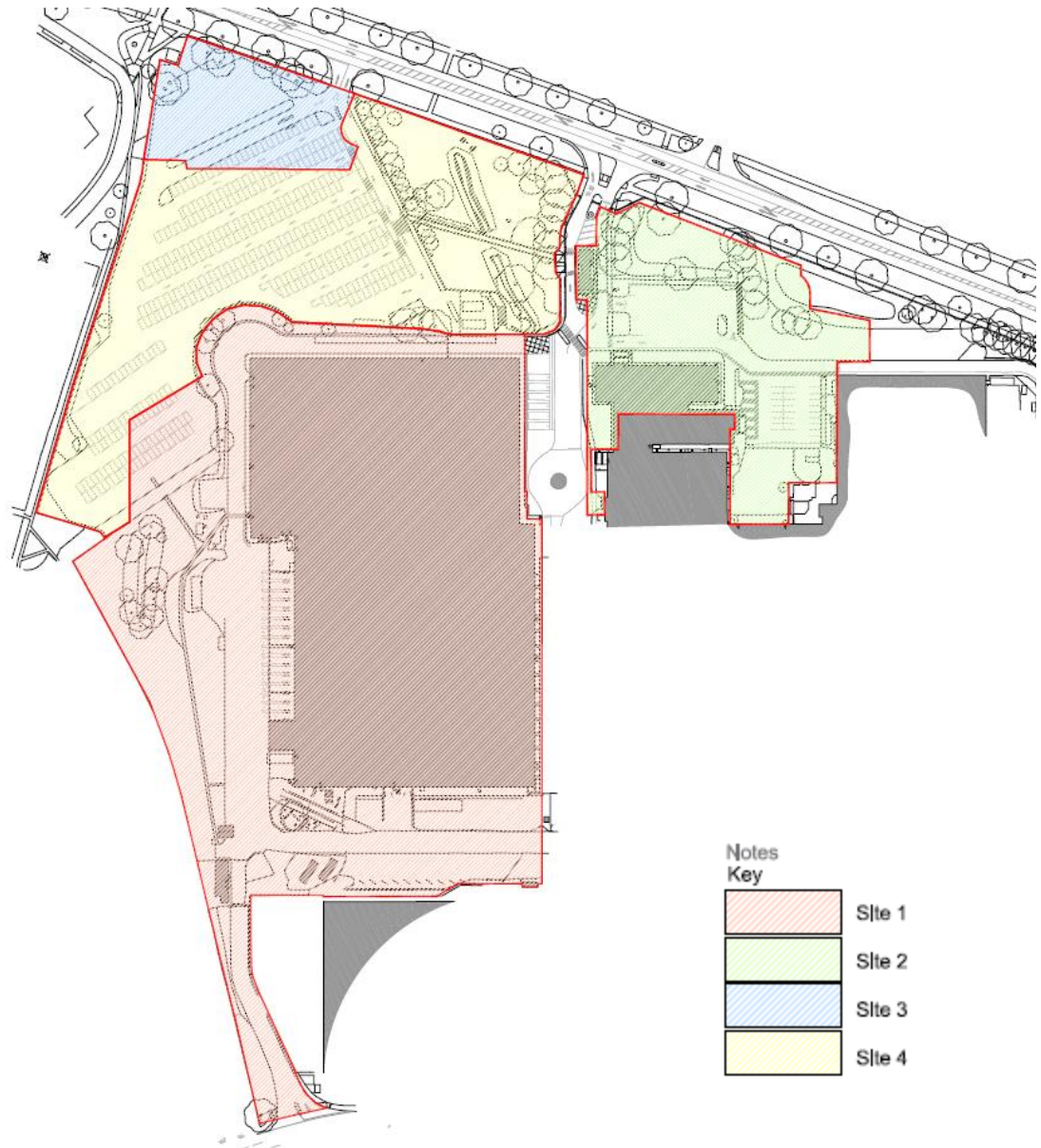


Figure 1: Site Layout of the Four Applications

- 3.9 As such, in order to facilitate the two development proposals and to offset the loss of car parking for the JDE employees, the previously proposed new surface level car park on the main JDE site still forms part of this strategy and is the subject of this application and will be referred to as Site 2.
- 3.10 Both JDE and Paloma Capital are committed to bringing forward meaningful development on all three sites, to ensure they are utilised more efficiently and make the most of this allocated employment land.

## **PLANNING HISTORY**

- 3.11 The application site has an extensive planning history, with Council’s online records dating back to 1995. Although it is clear that a number of buildings were in place long before this.
- 3.12 There is limited history of relevance to this application (except for those mentioned above), with a majority being in relation to the general upgrading of the site, including new roof lights, security fencing, temporary accommodation, and minor extensions to existing buildings.

## **PRE-APPLICATION ENGAGEMENT**

- 3.13 The proposed reconfiguration of JDE land and buildings has been considered by Cherwell District Council Officers via the pre-application process, with an initial meeting and site visit held between the Architects, Development Manager and Planning Officers on 12<sup>th</sup> June 2018. A second meeting was then held with the Head of Planning, Economic Development Officer and Planning Policy Officers on 9<sup>th</sup> November 2018.
- 3.14 A further pre-application meeting has been undertaken with Cherwell District Council on the 28<sup>th</sup> January 2021 since the development proposals had been reconsidered and amended to detail the three separate applications proposed.
- 3.15 Whilst these meetings were predominantly in relation to the redevelopment proposals of the existing employee car park to the south which will be submitted concurrently to this application (Site 3 and Site 4), the overarching principle of rationalising and reconfiguring JDE assets to release underutilised land to then come forward for more efficient employment uses, was fully supported by officers.



## 4 Application Proposal

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4.1 This section provides a summary of the application proposal. Further details of the scheme are contained in the suite of documents that accompanies this application, including the Design and Access Statement. These documents should be read in conjunction with this Statement.

4.2 This application seeks planning permission for the following development:

*“Demolition of existing office and erection of a surface level car park providing 215 replacement car parking spaces including landscaping and other associated works”*

4.3 In light of the above, the proposal comprises the following key elements:

- (a) Demolition of existing vacant office building;
- (b) New entrance and reception alongside existing compute suite;
- (c) Provision of a new surface level car park providing 215 replacement car parking spaces;
- (d) Associated landscaping.

### LAND USE

4.4 This is a straightforward planning application seeking permission for the demolition of an existing, vacant office building and the provision of a new surface level car park. The office building to be demolished forms part of the JDE estate and the new car park is to serve JDE. As such, it is not proposed that the overall employment function of the site be changed. The overall ambition of the proposed development is to provide a more efficient use of the site and to open up the remaining area to the southwest of the site for a more appropriate employment development.

4.5 The car park is to be situated towards the front of the site and adjacent to the main vehicular entrance from Ruscote Avenue and will provide a total of 215 parking space for existing employees, 204 of which are to be standard spaces, with 11 disabled. The proposal also includes 40 designated cycle parking spaces located in a designated shelter.

4.6 It is intended that the parking will replace some of the spaces which are due to be lost following the redevelopment of the existing employee car park to the south of the site (Site 3 and Site 4). Two separate applications for the redevelopment of the existing car park have been submitted concurrently to this application, and, in this sense, this Site 2 proposal should be viewed as an enabling development.

### DESIGN

#### Layout

4.7 It is proposed that the existing 5 storey office building within the site area be demolished, with the single storey computer suite which sits behind, being retained. The two buildings are currently connected by a few small connecting corridors with external courtyards either side, which will also be removed. Upon demolition of the office building, the western elevation of the computer suite will become the new building frontage.

- 4.8 It is then proposed that the resultant land in front of the computer suite, as well as the existing parking area and a small area of grass to the front of the building, be redeveloped for a surface level car park (the central / western part of the application site).
- 4.9 Whilst the main entrance to the site from Ruscote Avenue will remain unchanged, a new single point of entrance is proposed from the estate road to the new car park. The car park will connect to a new internal roadway situated along the front of the computer suite, which in turn will connect to the existing internal roadway at the east of the application site.
- 4.10 A further area of car parking will replace the existing parking area to the north-east of the computer suite, which will provide disabled parking, motorcycle parking and some car parking. The relocation of the existing cycle storage for 40 bicycles is also proposed within a designated shelter to the south-west of the computer suite.
- 4.11 Overall, the surface car park will provide 215 parking space for JDE, 204 of which are to be standard spaces, with 11 disabled and 13 motorcycle spaces. The proposal also includes 40 cycle parking spaces.

**Design / Appearance**

- 4.12 With the demolition of the existing, vacant 5 storey office building, the western elevation of the single storey computer suite will become the new building frontage and is therefore in need of upgrading. A new pedestrian entrance is proposed at the south-western corner of the computer suite building, which includes sliding double glazed doors, with a white corrugated board cladding canopy. The remainder of the frontage will be re-clad with graphite corrugated board and the existing window will be replaced. An existing door is proposed to be removed and instead, a new fire door is proposed further to the north of the elevation. Above this, white corrugated board cladding is proposed to match the entrance canopy.

**INFRASTRUCTURE**

**Landscaping**

- 4.13 Several trees are proposed for removal to facilitate the development and as such a landscaping scheme is included in the proposals, with some replacement planting. In total, 13 trees and 2 groups of trees will require removal. All other trees and groups will be protected against negative impact during the development period.
- 4.14 New deciduous tree planting is proposed, in particular utilising any opportunity along the site frontage. In addition, a new hedgerow will be formed beyond the surface car park and without any detriment to the root protection areas of retained trees.

**Accessibility**

- 4.15 As mentioned above, vehicular access to the site remains unchanged and is taken from Ruscote Avenue. On entry to the site, a new car park entrance is proposed in front of the existing Gatehouse and internally, a new roadway is proposed to the front of the computer suite, which connects to the existing internal roadway to the northeast of the application site.
- 4.16 New shared bicycle and pedestrian access is proposed along the south of the new car park, which provides direct access to the new building entrance and secure cycle shelter. Several pedestrian crossings are also proposed within the car park and internal roadway.

- 4.17 Disabled parking is proposed to the northeast of the site, directly adjacent to the computer suite and a disabled ramp connects the parking to the building entrance for pedestrians.

## 5 Planning Policy Framework

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- 5.1 This section sets out the planning policy framework of relevance to the proposed demolition of the existing office building and provision of a surface level car park. There are a few key themes when considering the planning application against planning policy, including but not limited to Economy, Ecology, Transport and Design. Where applicable, relevant planning policy will be discussed in these themes.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 stipulates that in making any determination under the Planning Acts, regard is to be had to the development plan, and the determination must be made in accordance with that plan unless material considerations indicate otherwise. The statutory Development Plan is identified for this assessment as follows:
- Cherwell Local Plan 2011-2031 Part 1 (2015);
  - Cherwell Local Plan (1996) Saved Policies.
- 5.3 In addition to the Development Plan, the following guidance is material consideration to this assessment:
- National Planning Policy Framework (2021);
  - National Planning Practice Guidance (online);
  - Adopted Banbury Vision and Masterplan Supplementary Planning Document (2016);
  - Connecting Oxfordshire: Local Transport Plan (2015-2031);
  - Transport for New Developments: Transport Assessments and Travel Plans (2014);
  - Cherwell Parking Standards; and
  - Developer Contributions Supplementary Planning Document (2018).

### NATIONAL POLICY GUIDANCE

#### **National Planning Policy Framework (2021)**

- 5.4 The new NPPF was updated in July 2021, following the adoption of the Cherwell Local Plan Part 1 (2015) and the Cherwell Local Plan (1996) Saved Policies (2007). In such cases, paragraph 219 advises that existing policies should not necessarily be considered out-of-date and that due weight should be given to them, according to their degree of consistency with this Framework, the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
- 5.5 This should be borne in mind when considering the following policy review, with specific reference to the Cherwell Local Plan, which is considerably dated being adopted in 1996.

#### *Presumption in Favour of Sustainable Development*

- 5.6 The NPPF sets out the Government’s presumption in favour of sustainable development at paragraph 11, which for decision taking means:

“c) *approving development proposals that accord with an up-to-date development plan without delay; or*

- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

5.7 Paragraph 8 identifies that the ‘economic objective’ of planning in the context of sustainable development is to contribute to building a ‘*strong, responsive and competitive economy*’ and to support growth, innovation and improved productivity.

#### Economic Growth

5.8 Paragraph 81 identifies the need to support economic growth and productivity, whilst accounting for local business needs, as well as wider opportunities for development.

5.9 Paragraph 82 provides guidance for how local planning authorities should achieve this, including having a clear economic vision and strategy, identifying strategic employment sites, addressing potential barriers to investment and ensuring enough flexibility to accommodate unforeseen needs.

5.10 Finally, paragraph 83 refers to the need for planning decisions and policies to recognise and address specific locational requirements of different sectors, such as accessibility, and clustering.

#### Transport

5.11 Section 9 of the NPPF relates to the promotion of sustainable transport and seeks to manage the impacts of development on transport networks. It sets several considerations to facilitate this, including identifying opportunities from an infrastructure perspective, as well as from sustainable transport initiatives and to ensuring that environmental impacts of transport are fully considered.

5.12 Paragraph 110 sets out transport requirements for development proposals, including sustainable transport modes, safe and suitable access, and mitigation for any transport impacts. Paragraph 112 builds on this providing further criteria for developments to adhere to. These include:

- Designing for pedestrian and cycle movements as a first priority with high quality public transport as a second;
- Catering for reduced mobility and disability in all transport modes;
- Creating safe places, which are secure and attractive and minimise conflict between differing modes of transport;
- Consider servicing and emergency access;
- Integrate electric charging vehicles.

#### Effective Use of Land

5.13 Paragraph 119 promotes the effective use of land and encourages the use of previously developed or brownfield land, as much as possible.

5.14 In this regard, substantial weight is given to the value of using suitable brownfield land for development and the development of underutilised buildings, at paragraph 120. In order to support this, paragraph 122

requires polices and decisions to reflect changes in demand, which is to be informed by regular land allocation reviews.

Design

- 5.15 Paragraph 126 emphasises the importance of good quality design in making better places for people, stating that it is a key part of sustainable development and indivisible from good planning.
- 5.16 Paragraph 130 sets out several considerations to incorporate in developments, including the functioning of a site and surrounding area, visual appeal, sympathetic to local character and history, sense of place, inclusive and accessible place, and mixed developments (where appropriate). Paragraph 130 emphasises that developments should create “*attractive, welcoming and distinctive places to live, work and visit.*”

**LOCAL PLANNING POLICY**

- 5.17 The Cherwell Development Plan comprises the Cherwell Local Plan 2011-2031 Part 1 (2015) and Saved Policies from the Cherwell Local Plan (1996). These documents are supported by a series of Supplementary Planning Documents (SPDs).
- 5.18 This section does not re-state all policies and text but highlights the main policies of relevance.

**Site Allocations / Designations**

- 5.19 The application site is an Existing Strategic Employment Site and does not have any further designations.

**Cherwell Local Plan 2011-2031 (Part 1) (2015)**

- 5.20 The Adopted Cherwell Local Plan 2011-2031 (Part 1) is the strategic development plan for the Borough. It includes planning policies and land use allocations to which regard must be given in the determination of all planning applications. Underpinning the Local Plan is a vision and spatial strategy for how the Council manages the growth of the District. Within the identified vision for the District the council will focus the “*bulk of the proposed growth in and around Bicester and Banbury*”.
- 5.21 The Local Plan has three central themes;
  - Theme One: Policies for Developing a Sustainable Local Economy;
  - Theme Two: Policies for Building Sustainable Communities; and
  - Theme Three: Policies for Ensuring Sustainable Development.

Sustainability

- 5.22 Regarding the presumption in favour of sustainable development, Policy PSD1 identifies the Council’s proactive approach to considering development proposals. The policy states “*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.*” The Council recognises the need for positive growth to make “*economic, environmental and social progress*” and Cherwell will seek to focus development in sustainable locations, encouraging the efficient and effective use of land in order to achieve this.

Employment

- 5.23 The Local Plan recognises at paragraph B.6, that Banbury has a strong manufacturing base which the plan seeks to strengthen, supporting investment for new technology innovations. Indeed, 41% of employment across the borough is located in Banbury, as per paragraph B.13. As such, the starting point for employment development is on existing employment sites.
- 5.24 Policy SLE1 ‘Employment Development’ requires existing employment sites to be retained for employment purposes. Furthermore, new employment development should be focused on existing operational or vacant employment sites in Banbury, including their intensification, which will be permitted subject to other policies within the Plan and other material considerations. In particular, Policy SLE1 emphasises that employment proposals in Banbury will be supported if they make *“efficient use of existing and underused sites and premises increasing the intensity of use on sites”* amongst other criteria.

Transport

- 5.25 The Council will encourage proposals that seek to improve walking and cycling as connections to employment areas. As such, Policy SLE 4 ‘Improved Transport Connections’ encourages development *“to make the fullest possible use of public transport, walking and cycling.”*

Environmental

- 5.26 The Council will ensure that the protection and enhancement of biodiversity and the natural environment is achieved in accordance with policy ESD10. The policy encourages the protection of trees and seeks an increase in the number of trees, habitats and species surveys and requires associated reports to be prepared to accompany planning applications which may affect a sites’ habitat or species.
- 5.27 To support this, the Council will seek opportunities to secure the enhancement of the character and appearance of the landscape within policy ESD13 which requires the *“restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.”*
- 5.28 Development should seek to retain woodlands, trees and hedges and will be expected to respect and enhance local landscape character.

Design

- 5.29 The Council will encourage proposals to protect and enhance the character of the District to ensure that Cherwell is *“an attractive place to live and work”*. Policy ESD15 seeks to achieve successful design and states that new development will be expected to *“complement and enhance the character of its context through sensitive siting, layout and high-quality design.”*

**Cherwell Local Plan (1996) Saved Policies**

- 5.30 Saved policies of the Adopted Cherwell Local Plan 1996 remain part of the statutory Development Plan to which regard must be given in the determination of planning applications. The saved policies are those that were originally saved on the 27<sup>th</sup> September 2007 and which have not been replaced by policies within the Adopted Cherwell Local Plan 2011-2031 (Part 1).

Design and Construction

5.31 The Council emphasises the importance of new development being sensitive to the particular site and general character of its surroundings. Policy C28 ‘*Layout, Design and External Appearance of New Development*’ requires new development to be sympathetic to the character of the urban or rural context of that development, ensuring that the standards of layout, design and external appearance are complied with.

Environmental

5.32 Policy ENV12 states that development on land which is known to be contaminated will only be permitted if:

- i) *“Adequate measures can be taken to remove any threat of contamination to future occupiers of the site;*
- ii) *The development is not likely to result in contamination of surface or underground water resources; and*
- iii) *The proposed use does not conflict with the other policies in the plan.”*

**OTHER GUIDANCE**

**Adopted Banbury Vision and Masterplan Supplementary Planning Document (2016)**

5.33 The Councils masterplan sets out an economic vision for Banbury and an improvement in economic activity is key to the long-term sustainable development of Banbury. The masterplan highlights that economic growth will be targeted through “*maintaining a strong manufacturing sector*” and that the delivery of economic growth will mainly be accommodated through the improvement and renewal of existing employment areas.

5.34 Overall the masterplan seeks to establish a strong economy and create a high-quality environment and distinctive places to work, whilst improving accessibility.

**Connecting Oxfordshire: Local Transport Plan (2015-2031)**

5.35 This document sets out Oxfordshire County Council’s transport vision for the County and details how it will be delivered. The Connecting Oxfordshire: Local Transport Plan forms a key part of the strategic policy framework to support Oxfordshire’s economic development. The document sets out the following overarching transport goals.

- *“To support jobs and housing growth and economic vitality;*
- *To reduce transport emissions and meet our obligations to government;*
- *To protect, and where possible enhance Oxfordshire’s environment and improve quality of life; and*
- *To improve public health, air quality, safety and individual wellbeing.”*

5.36 The Local Transport Plan identifies a strategy focussed on delivering infrastructure improvements and promoting sustainable travel.

**Transport for New Developments: Transport Assessments and Travel Plans (2014)**

5.37 This document sets out the requirements of Transport Assessments and Travel Plans associated with new developments throughout Oxfordshire.



**Cherwell Parking Standards**

- 5.38 Cherwell District Council does not have adopted car parking standards as part of the Local Plan. Instead, the Council relies on standards which were included in the Non-Statutory Cherwell Local Plan 2011. Whilst this document was never formally adopted it was, until recently used for development control purposes. This has now stopped and as such there are no formal standards to consider.

**Developer Contributions Supplementary Planning Document (2018)**

- 5.39 Cherwell District adopted the Developer Contributions Supplementary Planning Document (SPD) in February 2018. The document sets out Cherwell’s approach to seeking section 106 planning obligations in the absence of a Community Infrastructure Levy (CIL) Charging Schedule within the District. There Council does have a draft Charging Schedule from 2016 but no further work has been undertaken in relation to the CIL Charging Schedule since then and therefore CIL is still not adopted.

## 6 Planning Assessment

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- 6.1 The remaining sections of this report assess the acceptability of the proposed development in planning terms, having regard to the relevant planning policy framework set out in Section 5. The section provides an assessment against land use for the principle of the development and then seeks to address the policies for other material considerations, such as design, environmental implications and transport.

### PRINCIPLE OF DEVELOPMENT

- 6.2 The businesses operating from the JDE site have undergone a rationalisation of operating systems and manufacturing requirements over the last 9 years. As identified earlier in Section 3 of this statement, several applications have therefore come forward over the last few years to release and improve under-utilised parts of the site.
- 6.3 Most recently JDE has recognised that with the rationalisation of the company's operational requirements the existing car park to the southwest of the site has become underutilised and is regularly seen operating at under half its capacity, and at approximately 60% capacity during peak times. As such, it is the intention that this site be brought forward for more appropriate employment use, given the JDE site's employment allocation and two separate applications will be submitted concurrently for its redevelopment (café drive thru application (Site 3) and a van storage facility application (Site 4)).
- 6.4 In order to facilitate this redevelopment, however, some of the parking needs to be re-provided and JDE has therefore looked to parts of its site for where this could be accommodated.
- 6.5 The existing office building by the main entrance from Ruscote Avenue has been completely vacant since 2015, with the second, third and fourth floors of this five-storey building becoming vacant much earlier in 2012. It is now surplus to requirements and would require considerable upgrading to be put back into beneficial use. In addition, there are small pockets of car parking around this building which would also benefit from being enhanced.
- 6.6 It is therefore proposed that the vacant office building be demolished, which will open-up this part of the site for a new surface car park, offsetting some of that which will be lost in due course following the redevelopment of the existing car parking area to the southwest of the JDE site. The proposals the subject of this current application should, therefore, be viewed as enabling development, supporting the overall aspiration to open-up the area to the southwest of the JDE site for more appropriate employment development.
- 6.7 The NPPF seeks to support economic growth and productivity, which is supported in Local Policy, with the application site being allocated as an *Existing Strategic Employment Site* in the Local Plan. It is currently occupied by JDE and such sites are to be protected under Policy SLE 1 of the Local Plan (2015).
- 6.8 The new car park will be used by existing JDE employees and as such, it is not proposed that the overall employment function of the site will change. Whilst there will be a loss in Use Class E (office) floor space, this building has been vacant for a number of years and the loss will more than be offset by the Site 3 and Site 4 employment developments on the existing car park. As such, the proposal will not have the effect of limiting the amount of land available for employment, in accordance with Policy SLE 1.

- 6.9 In light of the above, this is a straightforward planning application seeking permission for the demolition of an existing, vacant, office building and the provision of a new surface level car park to provide replacement parking spaces for JDE staff. The proposal will not result in a loss of employment land and support the employment function of the area to the southwest of the JDE site in accordance with National Policy and Policy SLE 1 of the Local Plan (2015).

## DESIGN

- 6.10 A full description of the proposed development is included within Section 4 of this statement and the accompanying Design and Access Statement prepared by Darling Associates also describes and assesses the design of the proposed development in greater detail. This sub-section therefore provides a broad overview of the design in context of relevant planning policy.
- 6.11 The Application Site is currently underutilised and comprises a vacant, 5 storey office building, a single storey computer suite, limited car parking, cycle storage and a green embankment with associated trees and shrubs. The office building is dated and unattractive and detracts from the appearance of the wider employment area. In addition, the car park to the front of the building has poor pedestrian access and poor circulation, requiring vehicles to access the car park via the existing gatehouse, as well as servicing and delivery vehicles. This existing arrangement blocks the gatehouse and leads to congestion on Ruscote Avenue during peak times.
- 6.12 Following the demolition of the existing office building, the resultant land will be re-developed to enable the provision of a larger surface level car park. The layout of the site has been designed to extend the existing car park within the site, providing parking for JDE, including facilities for cars, motorbikes and bicycles, which supports the efficient use of land and infrastructure in line with Local Plan Policy ESD 15 of the Local Plan (2015). The extended car park will provide 215 car parking spaces (204 standard, 11 disabled spaces, 13 motorcycle spaces and the retained 40 cycle parking spaces). The designated disabled parking will be located to the north east of the computer suite, providing direct access to the ramp leading to the new entrance.
- 6.13 The proposed layout represents a more efficient use of land, enhancing the character of the employment area by removing the tall, unattractive and vacant office building, and by enabling the redevelopment of the wider JDE site in line with Policy ESD 15 of the Local Plan (2015) and Policy C28 of the Saved Local Plan (1996). A new car park entrance is proposed off the existing site access road and specific design and traffic calming measures are proposed, including improved bicycle and pedestrian access. These will be discussed in more detail in the Transport and Accessibility part of this section.
- 6.14 In terms of appearance, the demolition of the office block will open up the site and reduce the visual impact. The recladding and proposed new entrance of the resultant building have been designed to improve the quality and appearance of the site and to deliver an attractive place to work in line with Local Plan Policy ESD 15 and Saved Local Plan Policy C28. The new western elevation of the computer suite will provide a modern frontage to the building, using trapezoidal cladding which is in keeping with the character of surrounding business estates. Through the demolition of the existing linking corridors, a new glazed entrance will also be created with an entrance canopy. Existing fire doors will be replaced and upgraded, and the overall appearance of the building will have a positive contribution to the surrounding commercial character, in line with Policy ESD 15. Improved landscaping within the site and adjacent to

Ruscote Avenue is also proposed to enhance the visual impact of the scheme and will be discussed in more detail in the Environmental part of this section.

- 6.15 Overall, the demolition of the existing, unattractive five storey office building and the proposed upgrading of the façade on the single storey computer suite, including new main entrance to the building, is a substantial improvement on the existing and is in keeping with the surrounding area. The proposals are appropriate for this location and will enhance the appearance of the site in accordance with Local Plan Policies ESD 15 and saved Local Plan Policy C28.

## ENVIRONMENTAL

- 6.16 Planning policy at all levels requires new development to avoid having a detrimental impact on local amenity and the environment. This sub-section demonstrates that both the amenity for the surrounding area and the surrounding environment will not be harmed, having regard to the land uses proposed and those that surround the application site, in terms of trees, landscaping, ecology and lighting.

### **Arboricultural Implications and Landscaping**

- 6.17 A landscaping scheme has been developed by Barry Chinn Associates and is submitted as part of this application. In addition, an Arboricultural Impact Assessment and Tree Survey prepared by BB Trees Ltd have also been submitted to review and assess the overall arboricultural implications of the proposed development.
- 6.18 As part of the proposed development it is necessary to remove 13 individual trees and 2 groups of trees despite considerable effort to minimise the impact upon the existing trees at the design stage. However, all high value Category A trees are to be retained and opportunities have been taken for new, high quality tree and hedge planting, including 8 new extra heavy standard trees, new formal native hedgerows and new amenity grass areas.
- 6.19 The development proposals have been examined in detail to ensure that all retained trees will be fully protected in accordance with the best practice with any safeguarding to be secured by conditions alongside a potential permission. Given the scheme ensures the retention of all higher value boundary trees and includes the provision of a variety of replacement planting, the proposal is considered acceptable on arboricultural grounds in line with policies ESD 10 and ESD 13.

### **Ecology**

- 6.20 An Ecological Assessment has been prepared by RPS to support the application, which comprises a desk study, Phase 1 Habitat Survey and an Ecological Scoping Survey. The reports assesses the potential of the site to support species of conservation concern or other species which could present a constraint to the development site.
- 6.21 The desktop study identified one statutory designated site approximately 0.88km from the application site which is designated for its geological value, and no non-statutory sites. The phase 1 Habitat Survey and protected species scoping survey identified that the site itself was found to comprise vacant building(s), hardstanding, amenity grassland and introduced shrub, which could have potential to support breeding birds and bat roosts. As such, a Preliminary Bat Roost Assessment was undertaken as well as a Bat Emergence Survey.

- 6.22 The surveys concluded that the habitats currently present within the site are not of conservation interest, but that the proposed tree and shrub planting could support species of conservation concern. Therefore, it is recommended that any clearing should be undertaken outside of the bird nesting season and any active nests would need to be retained and protected until they became disused, in accordance with Local Plan Policies ESD 10 and ESD 13.
- 6.23 The Preliminary Bat Roost Assessment identified moderate and limited potential for bats in the office block and computer suite, accordingly. However, the Bat Emergence Survey concluded that no bats were seen to emerge or re-enter the buildings and activity levels across the site were very low. As such, no mitigation is required.
- 6.24 The Ecological Appraisal identified that landscape proposals would enhance biodiversity and increase the ecological value of the site in line with policies ESD 10 and ESD 11, which seek to enhance existing landscapes and habitats with particular reference to the planting of trees and hedgerows. In addition to the planting, the Appraisal also recommended further enhancements which could include the provision of nest boxes for birds and the provision of bat boxes. Overall, the proposed development will not have a detrimental impact on the existing habitats within the site and seeks to enhance the biodiversity and ecological value of the site.

**Lighting**

- 6.25 A Lighting Plan prepared by Halligans Consulting Engineers has been submitted as part of this application. The plan identifies the proposed layout of the external lighting and indicates the proposed lighting specification as Abacus Orion Post Top Lanterns, mounted on single and twin columns.
- 6.26 The site is located away from sensitive residential uses and not located within a Conservation Area or near any listed buildings. As such, it is not considered that there will be a detrimental impact on the surrounding area, in accordance with Local Plan Policy ESD 15 which seeks to limit the impact of light pollution on local amenity.

**TRANSPORT AND ACCESSIBILITY**

- 6.27 A Transport Statement and a Travel Plan have been prepared by David Tucker Associates as part of this submission. The Transport Statement assesses the accessibility of the site and demonstrates that it is situated in a sustainable location with good pedestrian and cycle connectivity, and opportunities for travelling by public transport. The report also reviews recent collision data and identifies that there are no existing safety issues that would need mitigating as part of the proposed development.
- 6.28 As well as assessing the existing transport characteristics, the Transport Statement also considers the proposed development. In this regard, vehicular access to the site remains as existing, off Ruscote Avenue. However, a new vehicular access is proposed to the car park from the internal access road, before meeting the existing gatehouse. As such, the gatehouse entry system will be solely for servicing and delivery vehicles, which should encourage movement and reduce congestion on Ruscote Avenue during peak times.
- 6.29 Once within the new car park, a one-way circulation system will allow for a smooth traffic flow, with a designated exit at the south-eastern end of the car park, connecting back to the internal access road for exit onto Ruscote Avenue, or connecting to the northern internal access road. This design will enhance

efficiency of the existing car park, creating a high quality, safe and attractive environment in line with Local Plan Policy ESD15 and Saved Local Plan Policy C28.

6.30 In addition to vehicular access, the proposals include enhanced access for pedestrians and cyclists. A shared cycle and pedestrian access is proposed via a turnstile, and a new footway will connect pedestrians and cyclist to the building and relocated cycle storage, separate from cars. Within the car park, a series of pedestrian crossing points are also included to ensure pedestrian safety. The proposed pedestrian and cycle access will be a substantial improvement to the existing haphazard scenario and will therefore create a safer environment in line with Local Plan Policy SLE 4.

6.31 The Transport Statement includes a parking audit, as requested by Cherwell District Council during the pre-application process. This is summarised in the following table:

JDE Car Parks	Existing Capacity	Peak Demand	Resultant Capacity
<b>Southern Main Car Park</b>	257	201	0
<b>Central Access</b>	79	22	215
<b>Northern Service Access</b>	132	78	131
<b>Total</b>	<b>468</b>	<b>301</b>	<b>346</b>

6.32 In terms of the overall JDE parking provision, the proposals will result in a total of 346 spaces across the JDE site (215 to be provided as part of this application). Whilst this is a reduction of 122 spaces from the current provision, it is clear from the above table that there has been a reduction in demand for parking spaces since the 2014 and 2018 rationalisation applications, discussed in Section 3 of this report. Furthermore, a Travel Plan is submitted alongside the application and is to be adopted by JDE. This is the first time that JDE has had a formal process to encourage more sustainable modes of transport. The resultant parking proposed is therefore justified, given the peak demand anticipated and the adoption of a Travel Plan. In addition, a total of 13 motorcycle spaces are proposed, and 40 cycle spaces will be proposed.

6.33 In line with the above, a review of likely future traffic generation has been undertaken and indicates that the proposals will reduce the potential traffic generation of the site by up to 85 trips in the peak hours. The Transport Statement concludes that the proposed development would have no materially adverse impact on the safety or operation of the surrounding road network and that there are no reasons to refuse planning permission on highways grounds.

6.34 As noted above and to support the sustainable transport infrastructure included in the proposals, a Travel Plan is also submitted as part of this application and seeks to identify measures that will encourage all those working at JDE to use more sustainable forms of transport. The Travel Plan includes a strategy for setting target modal share for staff, a strategy for achieving the target and a process for monitoring progress to achieving the target.

6.35 The strategy proposed as part of the Travel Plan includes:

- Public transport use encouragement;
- Cycling incentives and facilities;
- Walking incentives;
- Car parking management;
- Car sharing encouragement

6.36 The JDE HR team will act as promoters of the Travel Plan and they will be required to ensure that employees understand their travel choices to work. Overall, it is concluded that the development is in full accordance with transport policy tests for new development and along with the Travel Plan, concludes that there are no reasons in transport terms why the application cannot be approved.

## 7 Conclusion

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- 7.1 This Planning Statement has been prepared by JLL on behalf of JDE in support of a planning application for the demolition of an existing, vacant office block and the provision of a surface level car park at the JDE premises, Ruscote Avenue, Banbury.
- 7.2 Following JDE's rationalisation of the company's operational requirements, the existing car park to the southwest of the site has become underutilised and it is the intention that this site be brought forward for more appropriate use (this is the subject of two separate applications (Site 3 and Site 4). However, in order to facilitate this redevelopment an element of parking needs to be re-provided for the existing JDE employees.
- 7.3 In light of the above, the proposals the subject of this application, would relocate some of the parking that is to be lost due to the redevelopment on the existing south car park. The proposals should therefore be seen as enabling development, supporting the overall aspiration to open up the area to the southwest of the JDE site for employment development. In this regard the overall aspiration is supported at national level through promoting economic growth and productivity and is also supported by local policies.
- 7.4 This report and accompanying Design and Access Statement demonstrate that the proposed demolition of the vacant office building and erection of a surface level car park would be a substantial visual improvement from the existing and is in keeping with the surrounding area, enhancing the appearance of the site.
- 7.5 The supporting Transport Statement concludes that the design and layout of the car park will enhance the efficiency of the site and improve the safety for cars, pedestrians and cyclists in line with Policy ESD 15. The Parking Audit also confirms that the proposed reduction in parking for JDE is justified given the peak demand anticipated. The supporting Travel Plan identifies measures to encourage more sustainable modes of transport in a formal document, for the first time.
- 7.6 In terms of the environmental impact of the development, given the scheme ensures the retention of all higher value boundary trees and includes the provision of a variety of replacement planting, the proposal is considered acceptable on arboricultural grounds. Furthermore, the proposed development will not have a detrimental impact on the existing habitats within the site and seeks to enhance the biodiversity and ecological value of the site.
- 7.7 Overall the proposed scheme would enhance the character and appearance of the site and support the intensification of employment uses on the area to the southwest of the JDE site in accordance with the NPPF and the Development Plan.



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