

Case Officer: Lewis Knox

Recommendation: Approve

Applicant: Banbury Plant & Skip Hire

Proposal: Reinforcement to northern site boundary to improve security to Ferris Hill Farm (Bund with tree planting and hedge)

Expiry Date: 20 July 2022

1. APPLICATION SITE AND LOCALITY

- 1.1. The site is an existing commercially operated mixed-use site with waste transfer operations, sand and ballast business, plant hire and agricultural contracting business operating from the site. Beyond the site boundary lies agricultural fields and open countryside and land levels drop to the north. The Gate Hangs High PH lies some 70m south of the site. Access to the site is taken from the Sibford Ferris Road via an existing gated access.
- 1.2. There are no significant site constraints relevant to planning and this application.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for the reinforcement of the northern boundary of the site, to increase the security to Ferris Hill Farm.
- 2.2. The reinforcement of the boundary would include a Bund, tree planting, fencing and hedging.

3. RELEVANT PLANNING HISTORY

- 3.1. There is no planning history directly relevant to the proposal.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. The following pre-application discussions have taken place with regard to this proposal:

Application: 21/03545/PREAPP	Response Sent	9 May 2022
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Reinforcement to site boundary

Officers concluded that any options A, B or C could be supported at application stage.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **4 July 2022** 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 **4 July 2022**.

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. **Hook Norton Parish Council:** Raised no objections.

OTHER CONSULTEES

6.3. **Thames Valley Police:** Raised no objections.

6.4. **CDC Landscape Services:** No comments received.

6.5. **CDC Ecology:** No comments received.

6.6. **OCC Planning:** Were not a consultee but they nevertheless wrote to suggest that the application might be a waste management proposal and as such should be determined by OCC.

CDC Officer Response: Officers advised that the proposed bunding, fencing and landscape planting to reinforce the site boundary and improve site security had been assessed and validated as an acceptable District planning matter and would be determined accordingly.

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)

- PSD1: Presumption in Favour of Sustainable Development
- SLE 1: Employment development
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD 13: Local Landscape Protection and Enhancement
- ESD 15: 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

HOOK NORTON NEIGHBOURHOOD PLAN

- HN CC2 – Design
- HN-T1 – Access and parking

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
- Other Matters

Principle of Development

- 8.2. Government guidance contained within the NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 8.3. The NPPF sets out the Government's view of what sustainable development means in practice for the planning system. It is clear from this that sustainability concerns more than just proximity to facilities, it clearly also relates to ensuring the physical and natural environment is conserved and enhanced as well as contributing to building a strong economy. Further, that a positive approach should be adopted to support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings.
- 8.4. Policy PSD1 contained within the CLP 2015 echoes the NPPF's requirements for 'sustainable development' and that planning applications that accord with the policies in the Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.
- 8.5. The site is part of a group of sand and ballast, waste transfer and plant hire businesses run by the applicant, which have operated on the site since the granting of planning permission in 1997 under reference 97/01677/F. Operations have expanded over the years and has recently gained permission for further buildings at the site through planning approval 21/00510/F.
- 8.6. The use of the site would not change as a result of the proposed development and operations would not expand beyond the existing extents of the site. The proposals seek an upgrade to the security of the northern end of the site through the construction of a bund and associated fencing, hedging and planting to act as a deterrent to thieves, which has been an evident issue at the site in the past.
- 8.7. The proposals would support the continued operation and the security of the existing business and employment site. The principle of development is considered acceptable in general sustainability terms, with overall acceptability subject to further considerations discussed below.

Design, and impact on the character of the area

- 8.8. The Government attaches great importance to the design of the built environment within the Framework. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. These aims are also echoed within Policy ESD15 of the CLP 2015 which looks to promote and support development of a high standard which contributes positively to an area's character and identity by creating or reinforcing local distinctiveness.
- 8.9. Policy ESD 13 of the CLP 2015 states that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Further that development that causes harm or visual intrusion into the open countryside would not be supported.
- 8.10. Saved Policy C28 of the CLP 1996 states that control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the context of that development.
- 8.11. The site is screened by existing boundary treatments to all boundaries of the site and the topography of the surrounding landscape, and any views of the proposals would be restricted to localised views from within the site. The proposals would add a further boundary treatment to the new northern edge of the property, approximately 75m further north than the existing hedgerow.
- 8.12. Despite this, the proposed bund would not be more widely visible than the existing boundary treatments with very minimal views from the south, east or west. Views from Belleisle Farmhouse would also be restricted by boundary treatments between the properties.
- 8.13. There are no particular objections to the proposed security solution which has been submitted as part of this application. The development would include a low-level post and wire fence with a large hedgerow behind, dry dyke and a 1.5m-high bund. Planting would also be included to the top of the bund to further reduce its visual impact and to help it blend into the countryside beyond.
- 8.14. Whilst the post and wire fence would be a new feature to the area and one that is not generally seen in this locality, it is considered to be an appropriate option for use within the site as a plant and skip hire, this material is often used within agricultural settings for security and as such this isn't considered to be out of keeping with the character and appearance of the locality. An appropriate colour should be chosen for this fencing to ensure it blends into the site and the soft landscaping beyond.
- 8.15. Any impact from the palisade fencing would be softened through the use of an additional hedgerow beyond. Once this hedgerow matures, it would grow around the fencing and would act as further camouflaging.
- 8.16. Wider views to the boundary would see the 1.5m bund and planting as the most prominent feature along this boundary, particularly after the fencing is screened by the hedgerow. Boundaries to the northeast of the site include the use of trees and hedging, so further use of trees on top of the bund would not impact on the existing rural and agricultural character of the site. Trees planted should match those already evident within the locality to ensure the character of the area is retained and continued.

- 8.17. Any harm to the rural aesthetic of the locality through the use of palisade fencing would be partially outweighed by the increase in the security of the site and reducing potential crime within this rural area.

Residential Amenity

- 8.18. Given the nature of the proposals and relationship of the site with surrounding properties (nearest property being the Gate Hangs High PH ~ 70m south of the site) it is considered that none of the proposed alternatives would have any detrimental impacts on the amenity of the occupants of any neighbouring properties.

Highway Safety

- 8.19. Given the proposed siting of this boundary treatment, it is not considered that it would have any detrimental impact on the safety of the local highway network as it would not require any additional accesses from the adjacent road and would not obscure the vision of highways users within the vicinity of the site.

Other Matters

- 8.20. The main goal of the proposed development is to improve security of the site following a number of break ins. Thames Valley Police were consulted as part of the application and they raised no objections to the scheme.

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. The proposals assessed within this application are considered an acceptable form of development which looks to increase the overall security of the northern boundary of the site. The proposals are deemed acceptable in terms of highway safety and would not detrimentally impact on the amenity of neighbouring properties or the visual amenities of the area or wider landscape.
- 9.3. The proposals are therefore considered to comply with the provisions and aims of the Development Plan policies identified above and the application is therefore recommended for approval as set out below.

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 No. CAM/2146 May 2022; Land Ownership Plan 2146; Design and Access Statement CAM/2146; Planting Schedule CAM/2146.

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.

Case Officer: Lewis Knox

DATE: 18/07/2022

Checked By: Andy Bateson

DATE: 18th July 2022
