

**OS Parcel 5700 South West Of Grange Farm,  
Street Through Little Chesterton, Chesterton**

**23/02810/NMA**

**Case Officer:** Suzanne Taylor

**Recommendation:** Approve

**Applicant:** Tritax Symmetry Oxford North Ltd AND Siemens Healthineers

**Proposal:** Amendments to the wording of condition 2 (proposed as non-material amendment to 22/01144/F)

**Expiry Date:** 7 November 2023

**Extension of Time:** No

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## **1. APPLICATION SITE AND APPROVED DEVELOPMENT**

- 1.1. The whole application site extends to approximately 19.35 hectares and is located immediately to the north of M40 Junction 9. The main frontage extends along the A41 northeast towards Bicester. To the southeast of the A41 is the village of Wendlebury. Immediately to the northwest of the site is the hamlet of Little Chesterton. Bicester is approximately 2km northeast of the site.
- 1.2. The site is currently in agricultural use, with several buildings in agricultural or converted commercial use to the northeast of the site. The south-eastern boundary of the site fronts the A41 and extends across several open fields. Generally, ground levels fall gently from north to southeast. The north-eastern extent of the site is defined by field boundaries and hedgerows, the Grange Farm Industrial Estate, and Lower Grange Farm. The industrial estate comprises a group of former agricultural buildings and some later structures currently in use for employment purposes. The Wendlebury Brook defines the western edge of the site, flowing from north to south towards a small area of woodland, which is a designated ancient woodland, where its course then changes to flow east across the site, before passing under the A41 in culvert towards Wendlebury. Most of the site is in Flood Zone 1 (the lowest risk of flooding) but a very small proportion is located within Flood Zone 2. The area affected follows the existing route of the Brook, which is proposed to be re-routed along the M40/A41 boundaries as part of the approved development proposals.
- 1.3. Footpath 161/4/20 traverses the site from Chesterton to the north and crosses the A41 to the village of Wendlebury, although there are presently no formal crossing points for this PROW across the A41, but there is a pedestrian refuge area provided in the central reservation of the A41.
- 1.4. The approved development is for a high-tech production and research facility for the manufacture of medical equipment (MRI scanners) with ancillary buildings. The new building will have two production halls and a spine, which serves the length of the production hall. From here goods loading, innovation centre, plant and personnel can serve both production spaces. Several external buildings required to support the production process will be situated on the northwest side of the facility.
- 1.5. The facility, is to be built in two phases and overall, will provide a total floorspace area of approximately 56,162sqm with external loading bays and service yard and landscaped car park with 474 staff and visitor parking spaces.

## **2. DESCRIPTION OF PROPOSED AMENDMENT(S)**

### **2.1. The key amendments are:**

- Internal alterations within the production hall to construct a two-storey welfare block with lift to replace the approved external Facilities Management Building. There would be no increase in the overall floor area and the proposed changes will be internal to the main production facility building.
- Rationalisation of services/plant equipment on the roof. Where these protrude from the roof, they will be visually enclosed in a reduced number of plant rooms and service kennels to rationalise operational requirements and minimise visual clutter. The maximum height of the plant rooms does not exceed the maximum height of the 16.15m fall protection railing currently approved. There is however a lift overrun measuring 3.9m x 4.9m in size which would protrude from the roof at an overall height of 17.40m; 1250mm higher than the highest part of the approved roof.
- Addition of low-level concrete bund within loading yard and provision of sprinkler tank plinth. The concrete bund for the resin tank is proposed to be recessed into the yard slab by 1000mm, with a concrete upstand of 1000mm and is required to catch any spills from the resin bund. A 450mm sprinkler tank plinth is proposed around the sprinkler tanks with a 300mm recess resulting in a 150mm height protrusion above the service yard level.
- Minor changes to the elevational details including:
  - NE Elevation: Replace built-up system with composite cladding panels; glazed windows added to second floor offices and Goods In office, relocation of 1 x revolving door and repositioning of doors/addition of roller doors;
  - SW Elevation: 6 x external, personnel doors added;
  - SE Elevation: Repositioning of doors and addition of double doors;
  - NW Elevation: Repositioning of doors and addition of double doors.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. Directly relevant to this proposal is **22/01144/F**, which was granted permission in July 2022 for: the erection of a new high quality combined research, development and production facility comprising of Class B2 floorspace and ancillary office floorspace with associated infrastructure including formation of signal-controlled vehicular access to the A41 and repositioning of existing bus stops; ancillary workshops; staff gym and canteen; security gate house; a building for use as an energy centre (details of the energy generation reserved for future approval); loading bays; service yard; waste management area; external plant; vehicle parking; landscaping including permanent landscaped mounds; sustainable drainage details; together with the demolition of existing agricultural buildings within the red line boundary; and the realignment of an existing watercourse.

## **4. PUBLICITY AND CONSULTATION**

- 4.1. There is no statutory requirement to consult on, or publicise, applications seeking approval for non-material amendments to an existing planning permission.

## 5. APPRAISAL

- 5.1. The key issue for consideration in this case is whether the proposed change(s) can be accepted as non-material; there is no consideration of the planning merits of the proposed changes.
- 5.2. Section 96A of the Town and Country Planning Act 1990 (as amended) states that: *"A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material"*. It is also stated that: *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted"*.
- 5.3. The National Planning Practice Guidance states that: *"There is no statutory definition of non-material. This is because it will be dependent on the context of the overall scheme - an amendment that is non-material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application"*. The judgement on materiality in any particular case is one of fact and degree, also taking into account the likely impacts of the amendment. Materiality is considered against the development as a whole, not just part of it. The benchmark for forming the judgement on materiality is always the original permission.
- 5.4. The incorporation of a Welfare Block within the main building to allow the approved freestanding Facilities Management Building to be removed from the scheme, which would reduce the number of buildings on the site. The changes to the elevations, particularly when appraised in the context of the overall scale of this large commercial building, are all considered to be negligible and would not, even cumulatively, significantly or detrimentally affect the character and appearance of the approved building or the wider area.
- 5.5. The resin bund upstand and sprinkler tank plinth would only protrude above ground level by a maximum of 1000mm within an industrial service yard. In view of the scale of the development both these features, which are essentially required for operational reasons, would be extremely minor structures which would not materially affect the approved scheme.
- 5.6. The changes to the plant rooms and housings on the roof would mean that visual clutter is reduced. Whilst some of the structures would be higher than approved, all but one (lift housing) would remain below the height of the approved fall protection railing. Taking account of the size and appearance of the consented building it is not considered that the changes to the roof plant/service structures would be significant or detrimental to the character and appearance of the building or the surrounding area.
- 5.7. Overall, it is concluded that, even when taken cumulatively, these combined amendments are comparatively minor when viewed in terms of the approved development and would have a negligible impact.

## **6. CONCLUSION**

6.1. The proposed amendments are considered to be non-material and the application is therefore recommended for approval.

Case Officer: Suzanne Taylor

DATE: 8 November 2023

Checked By: Andy Bateson

DATE: 8 November 2023

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