

Case Officer: Seva Lobov

Recommendation: Approve

Applicant: C/o Agent

Proposal: Full planning permission for additional structures within the service yard at conjoined unit 5A and 5B

Expiry Date: 8 February 2024

Extension of Time: 5 March 2024

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is located to the south of Langford Lane and east of Technology Drive, towards the north-western edge of the built-up area of Kidlington. It comprises Plot 4, Units 5A and 5B on the 8.3ha Oxford Technology Park, which lies south of London Oxford Airport and west of the Motor Park. The application site is part of a wider area that was identified as an area for a small-scale review of the Green Belt to accommodate identified High Value Employment Needs by Policy Kidlington 1 of the adopted Cherwell Local Plan 2011-2031 Part 1.
- 1.2 The application site is part of a larger site which is the subject of outline planning permission (ref. 14/02067/OUT) for a technology park comprising 40,362sqm of office, research and development and storage and ancillary space, subject to a number of parameters and restrictions as set out in conditions and a planning obligation associated with the consent. Whilst several buildings and elements of the permission have been implemented, the timescale for the submission of further Reserved Matters has expired.
- 1.3 The road and principal access have been constructed and is operational for the Premier Inn and the completed units. Site preparation work has commenced on several plots and work has commenced on a number of units.
- 1.4 The application site (Plot 4) comprises a rectangular area of flat serviced land on the east side of Technology Drive, which lies just south of the developments on the Langford Lane frontage. To the immediate west of OTP are the South-Central Ambulance Resource Centre and Campsfield House Immigration Removal Centre.
- 1.5 The proposed development relates to the conjoined units 5A and 5B, now occupied by Williams Advanced Engineering (WAE).
- 1.6 To the north, on the opposite side of Langford Lane, are buildings/hangers serving London Oxford Airport and to the east is the Oxford Motor Park where several car dealerships are located. National Cycle Network Route 55 runs adjacent to the A44 Woodstock Road providing a direct connection from its junction with Langford Lane through to Oxford City Centre to the south. Beyond this lies a cluster of employment parks comprising Cherwell Business Park, Station Field Industrial Park, and the West Side of Canal, covering 25ha and providing a wide range of commercial uses.
- 1.7 The nearest existing bus stop is located on The Boulevard and currently serves Oxford Spires Business Park and London Oxford Airport. There are further bus stops located along Langford Lane and along the A44 Woodstock Road all of which are within a reasonable walking distance from the site.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant sets out that the application is for the conjoined units 5A and 5B (Plot 4) of the employment development at Oxford Technology Park in Kidlington that is partially completed.
- 2.2. The application seeks full planning permission for additional structures within the service yard at conjoined unit 5A and 5B to enable the operations to function effectively. The proposed development will be contained within the service yard of the building.
- 2.3. The proposed structures will include:
 - One pitched roof canopy structure supported by 4No. corner columns;
 - One Storage Cabin;
 - Two Storage Containers;
 - Two Quarantine Containers;
 - One Water pump/tank containers; and
 - Glass Reinforced Plastic (GRP) Housing for existing external transformers.
- 2.4. The applicant outlines that this proposal would enable WAE Technologies Limited to provide storage for the existing battery commissioning cells within the external service yard areas, as well as add an open sided pitched roof canopy, a water pump/tank container, and GRP Housing to existing transformers.
- 2.5. The existing commissioning cells (each measuring circa. 2.5m (d) x 3.5m (h) x 6m (w)) are used to test the batteries that WAE Technologies Limited would be producing on the site and are a fundamental part of the proposed business operations. The applicant has stated that due to health and safety reasons, the commissioning cells cannot be accommodated internally and are, therefore, required to be situated outside of the building.
- 2.6. The proposed storage facilities consist of 1 cabin measuring 6.6m (w) x 2.8m (h) x 2.44m (d) for Cell Z-1, and 2 quarantine containers for Cell Z-2 and Z-3 measuring 6.06m (w) x 2.9m (h) and 2.44m (d). The water pump/tank container measures 6.06m (w) x 2.9m (h) x 2.44m (d). The 2 storage containers measure 3.06m (w) x 2.9m (h) x 2.44m (d).
- 2.7. The open sided pitched roof canopy structure is supported by 4 corner columns and is constructed out of an aluminium structural frame with white membrane covering on the roof. The canopy structure measures 10.1m (w) x 15.2 m (d) x 5.2m (h to eaves) x 7.7m (h to ridge). The canopy is required to facilitate the delivery of goods and engineering parts out of inclement weather, especially rain. There is insufficient space internally to accommodate such deliveries by HGVs and so the canopy will provide full shelter.
- 2.8. As can be seen from the enclosed plans, the proposed structures are essentially shipping containers with high technology equipment contained within them. The applicant's Planning Statement describes that the proposed development is expected to enable a more functional use of the current industrial building and better meet the bespoke needs of the on-site operations.
- 2.9. The proposal results no reduction in car parking provision on the site.
- 2.10. The proposed development would contribute to the operations approved under Planning Permission Reference 21/03913/F, as amended by 22/02214/F.

- 2.11. Application Reference 21/03913/F was granted for the construction of Building 5 under the following description of development: 'Planning Application for Development within Use Classes E (g) (i), and/or (ii), and/or (iii), and/or B2 and/or B8 and associated works including access and parking.' The later application (Ref. 22/02214/F) amended the previously approved plans and parking layout to accommodate external test cells on site.
- 2.12. The proposed structures are seen to be in accordance with the uses, nature and description of the development on this site, as they would support the operations of WAE Technologies, which falls within the permitted Use Classes, and they would constitute ancillary structures to the main operations of the building.
- 2.13. The full details of all the proposed additional structures/ alterations to the service yard are illustrated on the plans and detailed drawings/sections submitted for approval in support of this application.

3. RELEVANT PLANNING HISTORY

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

Application: 14/02067/OUT Permitted 10 October 2016

OUTLINE - New build Technology Park comprising 40,362 sq.m. of office, research and development, laboratory, storage and ancillary space

Application: 15/02089/ADV Permitted 12 February 2016

2 No non-illuminated signs

Application: 17/00313/DISC Permitted 4 August 2017

Discharge of Condition 5 (site phasing plan) of 17/00559/F

Application: 16/00533/DISC Permitted 12 April 2017

Discharge of Conditions 6 (means of access), 10 (surface water drainage scheme), 11 (drainage strategy), 12 (air quality impact assessment), 14 (low emission transport plan), 15 (reptile method statement), 16 (method statement for enhancing tree or shrub planting, areas of species rich grassland, habitat boxes for birds) and 18 (bird control management plan) of 14/02067/OUT

Application: 17/00559/F Permitted 5 June 2017

Variation of conditions 1, 2, 3, 5, 7, 9 and 21 of 14/02067/OUT to enable proper phasing of the development

Application: 17/01542/REM Permitted 24 November 2017

Reserved Matters to 17/00559/F - Phase 1 of Oxford Technology Park including details of siting, design, layout and external appearances of units referred to as 1 and 3.

Application: 18/00047/DISC Permitted 25 May 2018

Discharge of Conditions 3 (landscaping scheme), 5 (cycle parking) and 6 (sustainability and energy statement) of 17/01542/REM

Application: 21/00690/REM Permitted 2 July 2021

Variation of conditions 1 (plans), 2 (materials), 3 (landscaping scheme), 5 (cycle parking), 6 (sustainability and energy statement) of 17/01542/REM - amendments to Units 1 and 3

Application: 21/03913/F Permitted 24 June 2022

Planning Application for Development within Use Classes E (g) (i), and/or (ii), and/or (iii), and/or B2 and/or B8 and associated works including access and parking

Application: 22/02214/F Permitted 13 January 2023

Variation of condition 2 (plans) 6 (vehicle parking layout) 16 (external Areas) of 21/03913/F - amendments to specified conditions and updates to other conditions to reflect progress on site and further information submitted.

Application: 23/01133/DISC Permitted 20 July 2023

Discharge of condition 12 (Framework Travel Plan) of 22/02214/F

Application: 23/01132/DISC Permitted 20 July 2023

Discharge of condition 9 (Framework Travel Plan) of 22/01683/F

Application: 23/01969/DISC Permitted 12 September 2023

Discharge of Condition 6 (SuDs Compliance Report) of 22/02214/F

Application: 23/03346/DISC Permitted 18 January 2024

Discharge of Condition 7 (external lights/ floodlights) of 22/02214/F

Application: 24/00269/DISC

Discharge of Condition 5 (external lights/floodlights) of 22/01683/F

- 3.2. The wider industrial park known as Oxford Technology Park was granted outline planning consent with conditions for the construction of 40,362 sq m. of office, research and development, laboratory, and storage business space within Use Classes B1, B2 and B8 in October 2016 (Ref. 14/02067/OUT).
- 3.3. Conditions 6, 10, 11, 12, 14, 15, 16 and 18 of 14/02067/OUT were discharged in April 2017 (Ref: 16/00533/DISC).
- 3.4. Planning permission was subsequently granted in June 2017 for amendments to the approved scheme by variation of conditions 1, 2, 3, 5, 7, 9 and 21 (Ref: 17/00559/F).
- 3.5. Planning permission was granted in June 2022 (Ref. 21/03913/F) for the construction of up to two commercial units within use classes E (g) (i) – (iii), B2 and B8 on Plot 4 (Units 5A and 5B) in a new single building measuring 4,078m², including 1,384m² at mezzanine first floor level. The building was proposed to be 10m tall over two stories,

with a very shallow pitched roof surrounded by a 1.4m parapet. The building measures 60m wide to north and south elevations and 47.6m deep to east and west.

3.6. The latest full application on this site was approved in January 2023 (Ref. 22/02214/F) and permitted amendments to the previously approved plans and parking layout to accommodate external test cells on the site.

3.7. As stated, the buildings have been completed and were originally designed as two units, namely Units 5A and 5B, but have been conjoined and operating as one.

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 **24 January 2024**, 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 **24 January 2024**.

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. KIDLINGTON PARISH COUNCIL – No comments.

STATUTORY CONSULTEES

6.3. HIGHWAYS (Oxford County Council) – No objection. The additional structures propose no changes to the access and minimal changes to the parking arrangements of this site.

6.4. Building Control (Cherwell District Council) – No adverse comments.

6.5. ENVIRONMENTAL PROTECTION (Cherwell District Council) – No comments in relation to Noise, Contaminated Land, Air Quality, Odour and Light. No conditions recommended.

OTHER CONSULTEES

6.6. KIDLINGTON WEST WARM MEMBER – No comments.

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 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 2015)

- PSD1 – Presumption in favour of Sustainable Development
- SLE1 – Employment Development
- SLE4 – Improved Transport & Connections
- ESD10 – Biodiversity and the natural environment
- ESD13 (Local Landscape Protection and Enhancement)
- ESD14 – Oxford Green Belt
- ESD15 (The Character of the Built and Historic Environment)
- Policy Kidlington 1 – Accommodating High Value Employment Needs
- Policy Banbury 6 (Employment Land West of M40)
- INF1 – Infrastructure Provision

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design, and external appearance of new development
- C30 – Design control over 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
- Transport and Highways

Principle of Development

Assessment

8.2. The application site lies within the Oxford Green Belt where restrictive policies apply at national and local level through the National Planning Policy Framework (NPPF) and the CLP 2031 Part 1. Policy ESD14 confirms that proposals within the Green Belt will be assessed in accordance with the NPPF.

8.3. Notwithstanding this, the CLP 2015 does set out a need for small scale review of the Green Belt and refers to the Oxford Technology Park site within policy Kidlington 1 as one of the locations where small-scale review could accommodate high value employment development subject to site specific design and place shaping principles. The intended review and amendments to the Green Belt envisaged through policy Kidlington 1 have not been progressed despite some time having passed since the adoption of the CLP 2015.

8.4. The application site forms part of a larger allocated site in the adopted CLP 2015 under Policy Kidlington 1. This policy brings forward high-value employment needs development on land to the northwest of Kidlington and adjacent London Oxford

Airport as a strategic allocation for hi-tech employment development and associated infrastructure. The whole site was granted outline planning permission for the construction of 40,362sqm of office, research and development, laboratory, and storage business space within Use Classes E (g) (i)-(iii), B2 and B8 in 2016 (Ref: 14/02067/OUT) with the consent subsequently varied with a modified full permission in 2017 (Ref: 17/00559/F). Furthermore, approximately two-thirds of the allocated site has already been developed in a similar manner to that now proposed on this plot.

- 8.5. The approved on-site operations of Williams Advanced Engineering (WAE) Technologies limited meet the Council's requirements for the site to provide for high value employment needs.

Conclusion

- 8.6. The proposed development is for the addition of structures and storage units in the service yard of an already established and operational large scale (light industrial) employment building- Unit 5A and 5B, within the context of an approved allocation- Oxford Technology Park (OTP), which has already been largely built out, albeit remaining within Green Belt in planning terms. This acts as very special circumstances' justification for supporting further development at the site, already established as an employment operation that remains on Green Belt land.
- 8.7. Having regard to the above rationale, the proposed development will accord entirely with the Local Plan employment site allocation and given the history of the site (inclusive of aforementioned recent permissions) and the clear intention of the Council to review the Green Belt at this location, the proposal in this case will not cause significant or demonstrable harm with respect to other Plan policies and is therefore in principle considered acceptable. The proposal therefore accords with the requirements of the NPPF, Policies ESD14 and Kidlington 1 of the CLP 2015.
- 8.8. There has been no change in Development Plan or National Planning Policy or Guidance which would alter the principle of development and the consideration of the application.
- 8.9. The site forms part of a larger allocated site in the adopted local plan under Policy Kidlington 1. Therefore, the additional structures within the rear service yard of Unit 5A and 5B will support the continued employment use on this site which is seen to align with the policies and objectives on a local and national level and as such are considered acceptable in principle.

Design, and impact on the character of the area

Legislative and policy context

- 8.10. The National Planning Policy Framework 2023 confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 8.11. Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially, where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents such as design guides and codes. Weight should be given to development which reflects local design policies and guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability or help raise the

standard of design more generally in an area so long as they fit in with the overall form and layout of their surroundings.

- 8.12. At the local level Policy ESD15 of the CLP 2015, states that new development proposals should: be designed to improve the quality and appearance of an area and the way it functions...contribute positively to an area's character and identity by creating or reinforcing local distinctiveness...(and) respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale, and massing of buildings. Saved Policies C28 and C30 of the CLP 1996 reinforce this.
- 8.13. Policy Kidlington 1 is relevant and advises (inter alia) that key site specific design requirements will include (but are not limited to): Design for buildings that create a gateway with a strong sense of arrival including when arriving from the airport, a well-designed approach to the urban edge, which achieves a successful transition between town and country environments, development that respects the landscape setting of the site and a comprehensive landscaping scheme to enhance the setting of buildings onsite and to limit visual intrusion into the wider landscape.

Assessment

- 8.14. The application site is flat and is not within a sensitive landscape, in regard to existing context. The site is surrounded on its north, south, east and west side by other built development, much of which, with the use of simplistic materials, are naturally commercial in appearance. These include the hangers at Oxford Airport to the north of the site and the new hotel and neighbouring commercial development also to the north and the car showrooms to the east of the site. The scale of buildings generally located to the south of London Oxford Airport are alike with the building on the application site as large commercial units. This creates a uniformity of scale, design, and material finish within the Oxford Technology Park site.
- 8.15. The proposed development comprises a total of seven new structures in total (and an element of GRP housing), all to be sited in the rear service yard of the main building, out of view from the main road through the technology park site.
- 8.16. The Canopy would be an open sided pitched roof canopy structure is supported by four corner columns and is constructed out of an aluminium structural frame with white membrane covering on the roof. The canopy structure measures 10.1m (w) x 15.2 m (d) x 5.2m (h to eaves) x 7.7m (h to ridge). The materials and colour specification match that of the existing building. As such, the proposed canopy is not anticipated to have any adverse impacts on the visual appearance or operation of the site.
- 8.17. The storage and quarantine containers and cabin would resemble container-like storage structures finished with a white profiled metal finish to all sides. The design of the proposed structures would match the existing storage test cells in the rear service yard in terms of appearance also resembling container like-structures. The water tank/pump container is proposed to be finished with profiled cobalt blue metal sheets from all sides. The GRP enclosure proposed to house the external transformers is also proposed white in finish.
- 8.18. These colours and materials proposed are considered simple neutral colours all typical of a modern commercial development which are sympathetic to the local character within the Technology Park. The enclosed plans and drawings demonstrate the detail of the appearance and finish of all the structures proposed.
- 8.19. The design and appearance of all structures is considered consistent with other existing container structures in the service yard of the parent building (Units 5A and 5B) as well as the adopted design approach across the wider Technology Park.

- 8.20. In terms of scale, the proposed structures would be of a modest size in the context of the larger commercial buildings in the area which neighbour the application site from all sides.
- 8.21. The tallest element proposed would be the canopy structure. At a height of 5.2 metres, the canopy would be considered an addition of a reasonable scale for its function and in the context of this location. The layout, scale and appearance of the proposed structures are therefore considered acceptable in the context and would be consistent with the design principles established on the Technology Park.
- 8.22. Overall, in terms of scale, the proposed structures are considered clearly subservient to the existing building and would therefore be considered acceptable in the context of the Technology Park.
- 8.23. The proposed structures are all proposed to be located to the rear of the building and so would not be widely visible. Where seen, their appearance (essentially shipping containers) would not be unacceptable within the context of the employment site. The parking layout to the front of the building which would be visible will not be affected.
- 8.24. As such the proposed development is considered to be aligned with key national and local policy aspirations (especially policies PSD1, ESD15 of the CLP 2015 and saved policy C28 of the 1996 Cherwell Local Plan) in terms of design, character, scale, layout, appearance, and materials.

Transport and Highways

Policy Context

- 8.25. Paragraph 111 of the NPPF states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". Policy ESD15 of the CLP 2031 Part 1 states, amongst other matters, that new development proposals should: be designed to deliver high quality safe...places to live and work in. Policy SLE4 of the CLP 2015 requires new developments to maximise opportunities for access to sustainable modes of travel and seeks improvements to the highway network to mitigate significant adverse impact of traffic generation resulting from new development.

Assessment

- 8.26. The Oxford Technology Park is located approximately 9.5km to the north of Oxford City Centre, to the south of Langford Lane, between the A44 and A4260. The A44 provides access to the A34 to the south of the site. National Cycle Network Route 55 runs adjacent to the A44 Woodstock Road providing a direct connection from its junction with Langford Lane through to Oxford City Centre to the south. The Oxford Technology Park site access junction with Langford Lane has recently been constructed and includes both a footway on one side of the road and a segregated cycleway on the opposite side of what is now known as Technology Drive.
- 8.27. The proposal results in no net loss of parking spaces and no changes to access arrangements, with minimal onsite parking arrangements. The Highway Authority has not objected and commented to state that the proposal is unlikely to have an adverse impact on the highway in terms of safety or traffic.

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. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that planning applications be determined against the provisions of the development plan unless material considerations indicate otherwise.
- 9.3. This application seeks consent for additional structures in the rear service yard of Unit 5 at Oxford Technology Park to meet the functional requirements of the operation of Units 5A and 5B now occupied by Williams Advanced Engineering (WAE).
- 9.4. The proposed development represents positive economic investment in a sustainable location supporting the overall development of the wider Oxford Technology Park site.
- 9.5. It is acknowledged that the site remains within the Oxford Green Belt although it is anticipated through CLP 2015 policy Kidlington 1 that this would be amended. However, development of the site has been supported through the granting of outline planning consent. Development has since been completed on the application site and the site now represents an operational site with the necessary infrastructure to support the growth of the technology park for high value employment uses.
- 9.6. It is considered that the proposals assessed within this application would constitute an acceptable form of development. It is considered that the proposals would cause no significant harm to highway safety, design and appearance or visual amenity, sustaining the character of the site and its setting whilst allowing for the functional needs of WAE to be met and continued operating on the site in keeping with the aspirations for the wider Technology Park.
- 9.7. It is considered that the proposals are broadly consistent with the provisions and aims of the above-mentioned Development Plan policies. The proposals are therefore considered to be acceptable in all other regards and **approval is recommended**.

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:

Location Plan (Ref: 2851-01-PL1); Existing Site Plan (Ref: 2851-02 PL1); Proposed Site Plan (Ref: 2851-05 PL2); Existing Rear Yard Elevation (Ref: 2851-09 PL1); Proposed Rear Yard Elevation (Ref: 2851-10 PL1); Proposed Cell Z-1 Elevations (Ref: 2851-11 PL1); Proposed Cell Z-23 Elevations (Ref: 2851-12 PL1); Proposed Water Tank Elevations (Ref: 2851-13 PL1); Proposed

Quarantine Elevations (Ref: 2851-14 PL1); Proposed Canopy (Ref: 2851-15 PL2).

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: Seva Lobov

DATE: 29/02/2024

Checked By: Paul Ihringer

DATE: 5/3/24
