

**Case Officer:** Michael Sackey

**Recommendation:** Approval

**Applicant:** Mr Bratt

**Proposal:** Erection of storage building

**Expiry Date:** 2 April 2018

## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The site forms part of a wider mixed use site to the southwest of the Oxford Road to the southern edge of the village of Bodicote. The wider site as defined by the blue line ("the wider site") is bounded by Cotefield House to the east, Oxford road to the northeast, residential properties to the northwest and open countryside to the southwest.
- 1.2. Within the wider site is the main Cotefield garden centre to the north of the site and to the south is the proposed site and a number of other buildings encompassing B Class and Sui generis uses under the name Cotefield Farm.
- 1.3. Although the site is currently bounded to the west by open countryside, outline permission has been granted for residential dwellings on part of the land immediately west of and adjacent to the site.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The current application is for the erection of a new storage building. The proposed building would measure approximately 12m depth, 24m width with an overall flat roof height of 5.6m.
- 2.2. There is a concurrent planning application reference (18/00194/F) for a farm office and storage to the northwest of the proposed development and is also within the existing site.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. None relevant (other than aforementioned current application (18/00194/F)).

## **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, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 29.03.2018, although comments received after this date and before finalising this report have also been taken into account.
- 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.

#### BODICOTE PARISH COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. No objections

#### STATUTORY CONSULTEES

- 6.3. Local Highway Authority – No objections subject to conditions  
6.4. Arboriculture – No comments received (Consulted on 23.02.2018)

#### NON-STATUTORY CONSULTEES

- 6.5. Bodicote Neighbourhood Plan group – No comments received (Consulted on 23.02.2018)

### **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)

- ENV1: Pollution control
- ESD13 : Local Landscape Protection and Enhancement
- ESD15 : The Character of the Built and Historic Environment
- PSD1: Presumption in Favour of Sustainable Development
- SLE 1 : Employment development

#### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 : Layout, design and external appearance of new development
- AG2: The construction of farm buildings

- 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

- 8.1. The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF defines this as having 3 dimensions: economic, social and environmental. The NPPF advocates the support of 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.
- 8.2. The wider site is comprised of a mix of sui generis and B class uses and the proposed storage building would be for purposes ancillary to those of the existing site and the farm owners in their daily operations for the storage of agricultural and forestry equipment.
- 8.3. The proposed building is stated to be for agricultural purposes for storage of farm and forestry equipment. Nevertheless, given the applicant's statement/comments with regard to the proposed use and the context of the site, officers are satisfied that the proposed development is therefore considered acceptable in principle, subject to further considerations in terms of visual and residential impact and highway safety deliberated further below. The application will be assessed on the basis that it is for an agricultural use.

#### Design and impact on character of area

- 8.4. 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.
- 8.5. Policy ESD13 of the CLP 2031 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. It goes on to state that proposals will not be permitted if they would result in undue visual intrusion into the open countryside or would harm the setting of settlements. Policy ESD15 of the CLP 2031 further reinforces this view, in that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design.
- 8.6. Saved Policy AG2 of the CLP 1996 indicates that farm buildings and associated structures requiring planning permission should normally be so sited that they do not intrude into the landscape or into residential areas. Where appropriate a landscaping scheme should be included as part of the planning application and materials of construction should be chosen so that the development fits sympathetically into its rural setting.
- 8.7. Saved Policy C28 of the CLP 1996 further 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 rural or urban context of that development.
- 8.8. The proposal would be well set back from the Oxford Road, well within the site which is screened from the Oxford Road such that the proposed building would not be readily visible. The proposed development would also be positioned in close proximity to the other existing buildings on the site and the applicants have indicated that there would be no removal of the existing landscape features resulting in the proposal being well screened by the existing vegetation. In addition the topography of the site, slopes down ground levels to the rear of the site, which also restricts the

views of the proposal and in turn would also lessen the impact of the proposed development. The proposal would also be well screened by the existing built form and in addition the topography of the site, slopes down in ground levels to the rear of the site which also restricts the views of the proposal and in turn would also reduce its impact on its locality.

- 8.9. The proposed office and storage building would be of broadly typical design for its purpose, and would be consistent with the design, materials and colour palette of existing buildings on the existing site. Given its scale, siting and in relation to the existing site, it is considered that proposed development would be in keeping with the existing site. The proposed building would provide a functional use that would not appear out-of-place within its context.
- 8.10. Overall it is considered that the proposal would be acceptable in design terms and would not have a significant adverse impact on the character and appearance of the locality.

#### Residential Amenity

- 8.11. The proposed development would result in the expansion of an existing business at this site. The nearest residential dwellings are approximately 25 metres away from the site of the proposed building.
- 8.12. The proposed development would be set close to the boundaries of the site, approximately 25 metres away from its nearest neighbouring property, Cotefield house, but would not be readily visible from the neighbour given the existing mature vegetation. The proposal would also be close to approved residential development to the south/south-west but given its scale and siting, and subject to acceptable levels of noise emission – which can be controlled by condition – it is not considered to have any significant adverse impact on future occupiers of this development.
- 8.13. The existing buildings on the site would also obscure the proposed development from the wider views of the site. Furthermore the proposal is a storage barn with all the proposed openings set to the roof and to the northwest or front elevation, facing towards the existing site with the other elevations being blank with no external openings.
- 8.14. Overall therefore the proposed development is considered not to result in significant harm to residential amenity of the site.

#### Other matters

- 8.15. For the same reasons, and having regard to the existing and potential lawful uses of the site, it is considered that the proposals would not have a significant impact on the highway safety of the locality subject prescribed condition.

### **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 proposed development is required and would allow for the expansion of an existing agricultural business operating from the site. The design of the building would be in keeping with the other buildings on the site and given the screening around the site, the presence and scale of other buildings the proposal would not have a significant impact on the character and appearance of the area. The proposal would not significantly increase traffic from the site. Overall the development is considered to be acceptable and comply with national and local planning policy.

## 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 information contained within the application form and approved plans:7993-0100-001; 7993-0099-01; 7993-0098-002 and (RPS Cover letter dated 31 January 2018).

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.

3. The building hereby approved shall be used for the purposes of storage of farm and forestry equipment only.

Reason – In the interests of highway safety, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

4. No sound-amplifying equipment shall be installed or operated at from or within the building without the grant of further specific planning permission from the local Planning Authority.

Reason – To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Case Officer: Michael Sackey

DATE: 29.03.2018

Checked By: Nathanael Stock

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