

Application 11/01641/F	No:	Ward: Wroxton	Date Valid: 07/11/11
Applicant:	The Trustees of the Bearstead 1986 Settlement		
Site Address:	Former Upton Dairy, Upton Estate, Stratford Road, Shenington		

Proposal: Erection of one storage unit (B8 use), one business unit (B1, B2 and B8 use), associated car parking and landscaping

1. Site Description and Proposal

1.1

The application site is the former Upton Dairy on the northern edge of the district, accessed from the A422 Stratford Road. The site sits on an elevated plateau, with the levels dropping away to the West from the rear of the site. The site is within the designated Area of High Landscape Value.

1.2 The site has been developed into a business park with a mixture of B1/B2/B8 uses under a consent issued in 2008 (08/00054/F). The scheme was amended in 2010 to alter the design and layout of one of the units.

1.3 One of the originally consented units remains un-built, and there is a large concrete silage clamp on the Western edge of the site. The as-yet un-built unit (Building 3) is sited on the Northern edge of the site. The silage clamp is a tall, three-sided concrete structure on the Western edge of the site. It is a remainder from the former agricultural use of the site and is currently used for external storage. The silage clamp is prominent in the site and clearly visible from the West. The appearance of this structure is somewhat incongruous given its unfinished concrete appearance, contrasting with the timber and sheeting clad buildings elsewhere on the site.

1.4 The proposal is for an alteration to the layout and design of the approved 'Building 3' and the conversion of the silage clamp to a B8 storage unit by roofing and cladding the existing structure.

2. Application Publicity

2.1 The application has been advertised by way of a press notice and site notices. The final date for comments was 15 December 2011.

2.2 Three letters of support were received for the scheme from existing and prospective tenants of the site.

3. Consultations

3.1

Shenington with Alkerton Parish Council – object to the scheme, considering that the increase in employment numbers is not specified; there will be an increase in light, noise and environmental pollution; the landscaping is deficient; there has been no consideration of the setting of the Conservation Area or Listed Buildings; the materials are inappropriate and the site is unsustainable in transport terms.

- 3.2 County Highways – no significant impact in terms of highway safety, convenience or capacity; no objections, subject to conditions. Notes that the Green Travel Plan approved pursuant to the original conditions for the development is sufficient in scope and depth for the additional development proposed in this scheme.
- 3.3 County Drainage – no objections, subject to the implementation of a sustainable drainage scheme.

4. Relevant Planning Policies

- 4.1 National Policy Guidance:
PPS1: Delivering Sustainable Development
PPS4: Planning for Sustainable Economic Growth
PPS5: Planning for the Historic Environment
PPG13: Transport
- 4.2 Regional Policy in the South East Plan 2009:
CC1 – Sustainable Development
BE6 – Management of the Historic Environment
T4 - Parking
- 4.3 Local Policy in the Adopted Cherwell Local Plan 1996:
C7 – Landscape conservation
C13 – Areas of High Landscape Value
C28 – Layout, design and external appearance
EMP4 – Employment generating development in the rural areas

5. Appraisal

- 5.1 The main issues for consideration in this application are;
- principle of development
 - highway safety and convenience
 - visual amenity and landscape impact
- 5.2 The acceptability of the principle of this development must be split into two elements; firstly the acceptability of the amendments to Building 3 and secondly, the acceptability of the conversion of the silage clamp to a B8 use.
- 5.3 The alterations to Building 3 are considered to be acceptable; the use and scale of the site remains within the approved and part-implemented parameters of the 2008 permission. The design and appearance of the proposed replacement building also matches the existing units in terms of finishing materials and appearance.
- 5.4 The conversion of the silage clamp to B8 use is a more complex issue as that structure was not originally part of the overall scheme. The silage clamp is on the edge of the site, and prominent in the longer views of the site from the west. However it must also be borne in mind that the structure has remained in situ since the original conversion of the site. The proposed conversion of the silage clamp to a B8 unit involves the cladding and insulating of the existing building, to give an appearance similar to the other buildings on the site (a brick plinth, with timber boarding giving way to profiled sheeting) and then the roofing in materials similar to the rest of the buildings on the site. As a result, it is considered that the conversion of the silage clamp to a B8 unit is acceptable in terms of landscape impact, visual amenity and impact on the designated landscape as it represents an improvement

to the appearance of the Western edge of the site.

- 5.5 . The County Council, in their role as Highway Authority are satisfied that the scheme is acceptable in terms of highway safety and capacity with this increase in floorspace. They have also noted that the Green Travel Plan approved for the 2008 scheme is sufficient in scope and depth to address transport sustainability issues arising from this increase to the scale of the development. The concerns of the Parish Council with regard to the transport sustainability of the site are noted but the County Council is satisfied with the proposals set out in the already approved Green Travel Plan in this regard.
- 5.6 The conversion of the silage clamp does represent an extension to this employment site within the otherwise open countryside. An extension of this sort is however expressly permitted by the terms of Policy EMP4 of the adopted Cherwell Local Plan. This policy sets out that proposals for employment generating development will be permitted where it is within an existing acceptable employment site and where the development can be carried out without undue detriment to the appearance and character of the rural landscape or harming the amenity of that rural landscape.
- 5.7 Assessing the scheme with reference to the requirements of EMP4 leads on to consideration of the scheme in terms of the comments of the Parish Council. Taking their objections in turn, the proposal is considered acceptable in terms of the level of employment and sustainability; Building 3 is in effect already approved, and the provision of the B8 unit is unlikely to lead to a significant increase in employment at the site. Turning to the issue of noise, light and environmental pollution, the proposal is also considered acceptable. The lighting proposed in this scheme is in line with the approved lighting strategy for the rest of the site, and conditions restricting noise-generating activities are recommended for this consent in line with the previous consents on the site. With regard to environmental pollution, the only new element of use proposed in this application is the additional B8 element, which is not a use likely to cause environmental harm. The landscaping to the site has already been approved and implemented through the original approval of the scheme to develop the site. The buildings proposed in this scheme are within the 'envelope' of the previous landscaping scheme and as a result, further landscaping is not considered necessary. The owners of the site have also planted 4000 additional trees to further reduce the impact of the site on the wider landscape. The finishing materials for the buildings are the same as those already in use on the other buildings on the site and are also therefore acceptable. The cladding of the converted silage clamp with similar materials is considered to offer an improvement to the appearance of the site.
- 5.8 In conclusion, the scheme is considered to be acceptable in terms of its impact on visual amenity and in terms of its landscape impact. The proposal is not considered to cause harm to the locally designated Area of High Landscape Value as it represents only a minor increase in the size and scale of the existing use. The use of matching finishing and design details further reduces any increased impact of the wider site.
- 5.9 As a result of the acceptability of the scheme in landscape impact and amenity terms, the proposal is therefore considered acceptable in terms of Policy EMP4 of the adopted Cherwell Local Plan 1996 and is considered to accord with the direction of PPS4.

6. Recommendation

Approval, subject to the imposition of the following conditions;

- 1) SC 1_4A (Time limit for implementation)
- 2) Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents and the materials and finishing details included therein;
 - i. drawing 012 Rev P3 (submitted with the application)
 - ii. drawing 013 Rev P2 (submitted with the application)
 - iii. drawing 014 Rev P2 (submitted with the application)
 - iv. drawing 015 Rev P3 (submitted with the application)
 - v. drawing 116 Rev P2 (submitted with the application)
 - vi. drawing U4.5-002 – External Lighting Plan and the Dextra Avalon Wallpack data-sheet (received on 12 January 2012)
 - vii. the details set out in the Application Forms and Design & Access Statement (submitted with the application)

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with government guidance in PPS1 – Delivering Sustainable Development.

- 3) That the transport impact of the development hereby approved shall be mitigated against by adherence to the Workplace Travel Plan for the site, dated September 2010, approved under application reference 10/00228/DISC on 21 October 2010.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with PPS1 – Delivering Sustainable Development and PPG13 - Transport.

- 4) That before the development is first occupied, the parking and manoeuvring areas shall be provided in accordance with the submitted details and shall be constructed, laid out, surfaced, drained and completed in accordance with specification details therein and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety and to comply with Government advice contained in PPG13: Transport.

- 5) That 'The Heath' building shall be used only for purposes falling within Class B8; specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.

Reason - In order to maintain the character of the area and safeguard the amenities of the occupants of the adjoining premises in accordance with Policy BE1 of the South East Plan 2009 and Policies C28 and C31 of the adopted Cherwell Local Plan.

- 6) That no goods, materials, plant or machinery shall be stored, repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.

Reason - In order to safeguard the visual amenities of the area in accordance with Policy C28 of the adopted Cherwell Local Plan.

- 7) That no plant, air compressor or air extraction equipment shall be installed on the site or

in the buildings without prior written consent of the Local Planning Authority.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from noise and smells in accordance with Policy ENV1 of the adopted Cherwell Local Plan.

- 8) The existing trees along the eastern boundary of the site shall be retained and properly maintained and that any tree which may die within five years from the completion of the development shall be replaced and shall thereafter be properly maintained in accordance with this condition.

Reason - In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with Policy C28 of the adopted Cherwell Local Plan.

- 9) That, notwithstanding the provisions of Class A of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and its subsequent amendments, the approved building shall not be extended without the prior express planning consent of the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the area and to sustain a satisfactory overall level of parking provision and servicing on the site in accordance with PPS1 – Delivering Sustainable Development, PPG13 – Transport, and Policy C28 of the adopted Cherwell Local Plan.

- 10) Notwithstanding the provisions of section 55 (2) (a) (i) of the Town and Country Planning Act 1990 and Class A of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and its subsequent amendments, no internal operations increasing the floor space available within the building hereby permitted shall be carried out without the prior express planning consent of the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the area and to sustain a satisfactory overall level of parking provision and servicing on the site in accordance with PPS1 – Delivering Sustainable Development, PPG13 – Transport, and Policy C28 of the adopted Cherwell Local Plan.

- 11) That the development shall be carried out in accordance with the contaminated land phased risk assessment and mitigation strategy approved by this authority on 11 February 2010, under submission reference 09/01861/DISC.

Reason - To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy ENV12 of the adopted Cherwell Local Plan.

Planning Notes

- 1) T1 – Third party rights

Summary of Reasons for the Grant of Planning Permission and Relevant Development Plan Policies

The Council, as local planning authority, has determined this application in accordance with

the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal represents an extension to an existing employment site and causes no increased harm to the character or appearance of the open countryside. Furthermore, the proposal is considered acceptable in terms of its visual impact, impact on highway safety and convenience and causes no harm to the setting of any designated heritage assets. As such the proposal is in accordance with government guidance contained in PPS1: Delivering Sustainable Development, PPS4: Planning for Sustainable Economic Growth, PPS5: Planning for the Historic Environment and PPG13: Transport; in addition, the proposal complies with Policies BE1, CC1 and T4 of the South East Plan 2009 and Policies C7, C13, C28 and EMP4 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

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