

**Site Address: Kannegiesser UK,
Beaumont Road, Banbury**

14/00284/F

Ward: Banbury Neithrop

District Councillor: Alyas Ahmed and Surinder Dhesi

Case Officer: Rebekah Morgan

Recommendation: Approval

Applicant: Mr Richard Boscott

Application Description: Construction of loading canopy

Committee Referral: Major – due to site area **Committee Date:** 24 April 2014

1. Site Description and Proposed Development

- 1.1 The application site is large industrial unit with ancillary office accommodation. It is situated within an existing industrial estate on the northern side of Banbury.
- 1.2 The application seeks consent for an open fronted canopy over the existing loading bay. The proposed canopy would measure 15m x 14m with an overall height of 9.7m. The canopy would be constructed of metal sheeting with a shallow pitched roof.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. The final date for comment was the 3rd April 2014. No correspondence has been received as a result of this consultation process.

3. Consultations

- 3.1 Banbury Town Council: No objections

Cherwell District Council Consultees

- 3.2 Environmental Protection Officer:

Oxfordshire County Council Consultees

- 3.3 Highways Liaison Officer: No objections

4. Relevant National and Local Policy and Guidance

- 4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

C28: Layout, design and external appearance of new development

- 4.2 Other Material Policy and Guidance

National Planning Policy Framework

Proposed Submission Local Plan Incorporating Proposed Changes (March 2013)

The draft Local Plan has been through public consultation and although this plan does not have Development Plan status, it can be considered as a material

planning consideration. The plan sets out the Council's strategy for the District to 2031.

5. Appraisal

5.1 The key issues for consideration in this application are:

- Visual Amenity
- Neighbouring Amenity
- Highway Safety

Visual Amenity

5.2 The design of the loading canopy is in keeping with the existing development and would not appear out of place on an industrial estate. Furthermore, the proposed materials are considered appropriate for the context of the site. The proposed canopy would be located to the rear of the existing building and would not be clearly visible from the public domain.

5.3 The proposed loading canopy would not have a detrimental impact on visual amenity and complies with government guidance on requiring good design contained within the National Planning Policy Framework and Policy C28 of the adopted Cherwell Local Plan.

Neighbouring Amenity

5.4 The proposed canopy would be positioned approximately 90m away from the nearest residential properties to the west of the site and would not be visible from these properties. The proposed canopy would not change or intensify the existing use of the site.

5.5 The proposed development would not have a harmful impact on neighbouring amenity and accords with the core principles of the National Planning Policy Framework.

Highway Safety

5.6 The proposal would not alter the existing arrangements for HGV's using this site. The proposal would not change the use of the site or intensify the current use.

5.7 The Local Highway Authority has raised no objections to the proposal on the grounds of highway safety. Therefore, the proposal accords with government guidance contained within the National Planning Policy Framework.

Engagement

5.8 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application.

6. Recommendation

Approval, 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 condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms and drawings number 1190-KTS-02 rev A received 28 February 2014.

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 contained within the National Planning Policy Framework.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.