

Cattle Market Car Park, Victoria Road, Bicester

14/00461/CDC

Ward: Bicester Town

District Councillor: Cllrs D Pickford and
D Edwards

Case Officer: Rebecca Horley

Recommendation: Approval

Applicant: Cherwell District Council

Application Description: Variation of Condition 1 of 09/00828/CDC – to extend planning permission for existing car park for a further five years.

Committee Referral: Council owned land and applicant is Council

Committee Date: 19th June 2014

1. Site Description and Proposed Development

- 1.1 The former cattle market site car park is located off Victoria Road and accessed from its south west corner. The site is surrounded on 3 sides by existing residential development to Victoria Road, Green Close, Longfields and Linden Road with the west side bounded also by Market Court, a commercial property. The site is currently used as a long stay car park serving the town centre.
- 1.2 The application proposes to continue to use the site for a car park for a further 5 years as the current permission will expire on 17th August 2014.
- 1.3 The site is constrained by its proximity to the Conservation Area, the boundary for which runs close to the entrance to the site.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter and site notice. The final date for comment was the 5th May 2014. No correspondence has been received as a result of this consultation process.

3. Consultations

- 3.1 Bicester Town Council: No objections

Cherwell District Council Consultees

- 3.2 Anti-Social Behaviour Manager:
There have been very few problems at this location. The previous issues related mainly to lighting but this has been successfully and permanently resolved as has the issue of noise associated with the 'Dragons Teeth' at the exit. The site has not proved attractive to the late night car users. In summary no issues at this time.

Oxfordshire County Council Consultees

- 3.3 Highways Liaison Officer: No objections to a further 5 years

Other Consultees

- 3.4 None

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

C28: Design Considerations

C31: Compatible uses in residential areas

The site is allocated on the proposals map as a site suitable for car parking/residential (linked to unsaved policy S19)

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Planning Practice Guidance

Submission Local Plan (January 2014)

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. The following policy is relevant to this case:

Policy ESD16: The Character of the Built and Historic Environment

Bicester Masterplan Draft (August 2012) – Retail Quarter

5. Appraisal

5.1 The key issues for consideration in this application are:

- Relevant Planning History
- Principle of the development
- Amenity
- Highways

Relevant Planning History

5.2 04/00779/CDC – Planning permission granted on 9th July 2004 for the change of use of the site to public car park including the erection of lamp columns

5.3 09/00828/CDC – Planning permission granted on 17th August 2009 for the change of use to car park with lighting columns

Principle of the development

5.4 The site occupies an important site on the edge of the town centre and is therefore appropriate for commercial or residential uses in the future. The site is currently used for parking and further plans to extend this use in the short term will not compromise any future use of the site which is in a sustainable location. The principle of the development has been established and the use is considered compatible with the neighbouring uses.

Amenity

5.5 The site is surrounded on three sides by existing residential properties and since the car park first came into use no objections have been raised that give cause for concern with regards to levels or incidents of anti-social behaviour. Previous issues of noise and light pollution have been resolved to the satisfaction of the Anti-social behaviour manager and there are no outstanding issues at this time.

- 5.6 With regards visual amenity issues the Conservation Area boundary is some 25m from the boundary to the entrance of the site and as there are no physical changes proposed to the site, there would be no impact or harm caused to this heritage asset.
- 5.7 The proposal would not have a detrimental impact on visual or residential 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.

Highways

- 5.8 In consultation with the County Council, as highway authority, there are no concerns or objections to the continued use of the site as a car park for a further 5 years.

Engagement

- 5.9 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 approving an application which represents sustainable development, in accordance with the NPPF's objectives.

6. Recommendation

Approval, subject to the following conditions:

1. That at the expiration of 5 years from the date hereof the use specified in your application shall be discontinued.

Reason - To enable the Council to review the position at the expiration of the stated period, in order not to prejudice the consideration of future proposals for land.

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 site location plan received 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 contained within the National Planning Policy Framework.

3. That the site shall be used only for the purpose of a public car park and for no other purpose whatsoever.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policies C28 and C31 of the adopted Cherwell Local Plan and 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.