

Site Address: 3663 Dorcas Road, Banbury

14/00974/F

Ward: Banbury Grimsbury and Castle

District Councillor: Cllr Andrew Beere, Cllr Claire Bell and Cllr Ann Bonner

Case Officer: Caroline Roche

Recommendation: Approval

Applicant: BFS Group T/a Bidvest 3663

Application Description: Erection of plant platform in goods-in yard.

Committee Referral: Major application due to site area **Committee Date:** 4 September 2014

1. Site Description and Proposed Development

- 1.1 The site is located to the south of Dorcas Road and to the east of the Thorpe Way industrial estate. The site is an established industrial unit within an industrial part of the town. The existing building covers a large proportion of the site and measures 21.5 metres in length, 8.5 metres in width and approximately 17 metres in height. It is largely finished with a grey warehouse type cladding.
- 1.2 Planning permission is sought for an external plant platform within the goods-in yard which is located on the eastern side of the building. Whilst it is not an enclosed structure it has a footprint of approximately 5m by 12.7 metres. The platform would sit approximately 6.5 metres above ground level and would support 2 condenser units with a height of 4.4 metres.
- 1.3 There are no significant constraints to the site or the proposal although there is a public footpath that runs outside of the site to the east and protected species have been identified in the area. The site is also identified as being potentially contaminated but this is not considered relevant given the nature of the site and the proposal.

2. Application Publicity

- 2.1 The application has been advertised by way of site notice and press notice. The final date for comment was the 30th July 2014. No letters have been received as a result of this consultation process.

3. Consultations

- 3.1 Banbury Town Council: No objections

Cherwell District Council Consultees

- 3.2 Anti-Social Behaviour Manager: No observations or objections.

Oxfordshire County Council Consultees

- 3.3 Highways Liaison Officer: The proposal will not have an impact on circulation, loading or parking. No objections.

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: Layout, design and external appearance of new development

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Planning Practice Guidance (2014)

Submission Cherwell Local Plan (January 2014)

The Submission Local Plan (January 2014) has now been through public consultation and was submitted for examination in January 2014, although this plan does not have Development Plan status, it is a material planning consideration. The plan sets out the Council's strategy for the District to 2013.

The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:

ESD16: The Character of the Built and Historic Environment

5. Appraisal

5.1 The key issues for consideration in this application are:

- Visual Impact;
- Affect on neighbouring amenities;
- Highways Safety.

Relevant Planning History

5.2 Whilst there is a long and complex planning history relating to this site none of the historic applications are directly relevant to the consideration of this proposal.

Visual Amenities and Area of High Landscape Value

5.3 Government guidance contained within the NPPF requiring good design states 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. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.

5.4 Saved Policies C28 of the adopted Cherwell Local Plan exercise control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context as well as compatible with the existing building.

5.5 The proposal consists of a functional structure on an industrial building which is not out of keeping with the industrial nature of the building or the surroundings. Furthermore it is a small addition when set against the existing structure. The site is well screened from Chalker close to the east and as such the proposal will not be viewed from the public domain or the footpath than runs along the road. It is therefore considered that there is no adverse visual impact arising from the proposal and the application complies with Policy C28 of the adopted Cherwell Local Plan and guidance contained within the NPPF.

Neighbouring Amenities

- 5.6 Given the nature of the development and its surroundings, set within an industrial area the proposal is unlikely to give rise to any adverse impact on any neighbouring land uses.

Highway Safety

- 5.7 The warehouse has a highly organised circulation system with allocated areas for parking, loading and unloading. Whilst the proposal is close to a loading bay it sits behind existing fuel tanks and as such does not encroach into the parking, loading or manoeuvring areas. There is therefore no impact on the wider highways network and safety will not be affected.

Other issues and Conclusion

- 5.8 Protected species, namely birds have been identified in proximity to the site. However given the nature of the development and the immediate surroundings the proposal is unlikely to impact on these species and there is unlikely to be any wider ecological impacts.
- 5.9 The proposal is fairly minor in relation to the size of the building and as a result of the nature of the proposal and its surroundings it will result in very little if any adverse impacts. It is considered to comply with Local Plan policies which seek to protect visual and neighbouring amenities and guidance within the NPPF requiring sustainable forms of development.

Engagement

- 5.10 With regard to the duty set out in paragraphs 186 and 187 of the Framework, it is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application. No problems or issues have arisen through the assessment of this 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, Design and Access Statement and drawing numbered: 4277-100 Rev B. 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 through the timely and efficient determination of the application.