

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

14/01836/F

Ward: Banbury Neithrop

District Councillor: Surinder Dhesi and Matt Johnstone

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: 27th November 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 20m x 20m with an overall height of 7.9m. 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 is the 4th December 2014.

3. Consultations

- 3.1 Banbury Town Council: No comments received at the time of writing report

Oxfordshire County Council Consultees

- 3.2 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

Planning Practice Guidance

Submission Local Plan (January 2014)(SLP) has been through public consultation and was submitted to the Secretary of State for examination in January 2014, with the examination beginning in June 2014. The Examination was suspended by the Inspector to allow further work to be undertaken by the Council to propose modifications to the plan in light of the higher level of housing need identified through

the Oxfordshire Strategic Housing Market Assessment (SHMA), which is an objective assessment of need. Proposed modifications (August 2014) to meet the Objectively Assessed Need were subject to public consultation and the examination is set to reconvene in December 2014. 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:

- Planning History
- Visual Amenity
- Neighbouring Amenity
- Highway Safety

Planning History

5.2 Application 14/00284/F: Construction of loading canopy (Permitted)

Consent was granted in April 2014 for the construction of a loading canopy measuring 14m x 15m. The previous proposal was a similar design to the current proposal, but the applicant now seeks consent for a larger loading canopy.

5.3 Both proposals relate to the same part of the building, therefore if this application is permitted, the applicant would only be able to implement one consent.

Visual Amenity

5.4 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.

5.5 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.

Other Matters

5.8 As part of this application due regard has been given to the EC habitats directive and

as such, there are not considered to be any ecological constraints to the proposal.

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 the efficient and timely determination of the application.

6. Recommendation

Approval, subject to:

- a) The expiry of the public consultation period provided no adverse comments are received.
- b) 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-03.

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 the decision has been made in an efficient and timely way.