

**Kelberg Trailers and Trucks Ltd,
Northampton Road, Weston-on-the-Green**

14/02019/F

Ward: Kirtlington

District Councillor: Cllr. Holland

Case Officer: Aitchison Raffety

Recommendation: Approval

Applicant: Kelberg Trailers and Trucks Ltd

Application Description: Extension to existing Workshop Including Enclosure of Vehicle Wash Bay

Committee Referral: Major

Committee Date: 19th March 2015

1. Site Description and Proposed Development

- 1.1 Kelberg Trailers and Trucks Ltd is a large commercial site located on the western side of Northampton Road (B430).
- 1.2 The site consists of a two storey office building and attached five bay workshop. The remainder of the site is covered in hard standing surfaces and used for the storage of trucks, trailers and associated equipment. A high and dense row of trees is located around the perimeter.
- 1.3 The site has two access points and a large parking area is provided on the frontage.
- 1.4 The surrounding area consists of a collection of commercial units located in the open countryside. There are also a limited number of residential properties and numerous caravans and a gliding club are located opposite. Weston Business Park is located to the south of the site.
- 1.5 The area has been identified as being potentially contaminated and a special site of scientific interest (Weston Fen) is located within 2km.
- 1.6 Planning permission is sought for the extension of the existing workshop. The proposal would maintain the existing building lines and measure 24.5m wide, by 19m deep, with an eaves height of 7.4m and a ridge height of 10.2m. The proposal would provide three additional bays, incorporating two workshop bays and an enclosed wash bay.
- 1.7 The proposal will allow for the expansion of the existing business and it is intended to increase the number of employees from 16 to 23.

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 13 February 2015. No correspondence has been received as a result of this consultation process.

3. Consultations

- 3.1 **Western on the Green Parish Council:** No comments received at the time of writing this report.

Cherwell District Council Consultees

- 3.2 **Anti-Social Behaviour Manager:** No objections or observations to make in respect of this planning application.

- 3.3 **Environmental Protection Officer:** No comments received at the time of writing this report.

Oxfordshire County Council Consultees

- 3.4 **Highways Liaison Officer:** No objections.

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

EMP4	Employment in rural areas
C28	Layout, design and external appearance of new development
ENV1	Development likely to cause detrimental levels of pollution
ENV12	Contaminated land

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Planning Practice Guidance

Submission Cherwell Local Plan (January 2014)

The Proposed Submission Local Plan was published for public consultation in August 2012. A further consultation on Proposed Changes to the draft plan was undertaken from March to May 2013. On 7 October 2013, the Draft Submission Plan was approved by the Council's Executive. The Plan was endorsed at Full Council on 21 October 2013 as the Submission Local Plan.

The Plan has now been formally 'Submitted' to the Secretary of State for Communities and Local Government for Examination and, therefore, carries more weight than has been previously attributed to it. However, it will not form part of the statutory Development Plan until the Examination process is complete and the Plan is formally adopted by the Council. The following policies are considered to be relevant:-

SLE1	Employment Development
ESD16	Character of the Built and Historic Environment

Non-Statutory Cherwell Local Plan 2011

In December 2004 the Council resolved that all work to proceed towards the statutory adoption of a draft Cherwell Local Plan 2011 be discontinued. However, on 13 December 2004 the Council approved the Non-Statutory Cherwell Local Plan 2011 as interim planning policy for development control purposes. Therefore this plan does not have Development Plan status, but it can be considered as a material planning consideration. The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:-

EMP1	Proposed Site for Employment Generating Development
EMP4	Proposal for Employment Generating Development

5. Appraisal

5.1 The key issues for consideration in this application are:-

- Relevant Planning History
- Principle of Development
- Character and Appearance
- Impact of Amenity
- Highway Safety and Parking

Relevant Planning History

5.2 06/01321/F – Extension to industrial building. This application was refused on 3 July 2006 for the following reasons:-

1. Notwithstanding the proposal being an extension to an existing building within an existing employment site, the Local Planning Authority considers the proposal to be contrary to Policy EMP4 of the adopted Cherwell Local Plan and the provisions of Policy EMP4 of the Non-Statutory Cherwell Local Plan and Policy E4 of the Oxfordshire Structure Plan in that the scale of the development is inappropriate on this rural setting and would cause harm to the character and visual amenities of the area contrary to Policy C28 of the adopted Cherwell Local Plan.
2. The extension proposed would significantly reduce the area of outside storage of vehicles and trailers which may lead to further demand to extend the commercial activity further into the open countryside, contrary to Policies EMP4, C8 and C28 of the adopted Cherwell Local Plan.

5.3 01/00623/F – Single extension to provide staff mess room. Granted conditional permission 25 June 2001.

5.4 00/00784/F - Demolition of workshop and replacement with larger building and full landscape of site. Granted conditional permission 17 April 2000.

5.5 99/01775/F - Demolition of workshop and replacement with larger building and enlargement of industrial curtilage. Refused on 11 November 1999 for the following reasons:-

1. The proposal is contrary to Policy E4 of the Oxfordshire Structure Plan 2001 and to Policy EMP4 of the Cherwell Local Plan in that the proposal would be unduly large and prominent in the rural landscape and therefore is not considered to be an appropriate site for an operation of the size proposed.
2. The enlarged activity proposed would be likely to be detrimental to the residential amenities of the properties to either side and would be contrary to Policy E6 and T18 of the Oxfordshire Structure Plan.
3. It is considered that the location and lack of suitable transportation facilities means that the proposal is unsustainable and therefore contrary to Policies E6 and T18 of the Oxfordshire Structure Plan.
4. The access is substandard in geometric terms and its use by traffic generated as a product of this proposal will result in a hazard and a detriment to the safety of other road users

5.6 97/01662/F - Extension to existing building, use of that building for some light assembly, reorganisation of parking and landscaping, (including variations to Conditions of Planning Approval Ref 95/02006/F). Granted conditional permission 18 September 1997.

5.7 95/02006/F - Replacement of two storey part of building at front and new single storey extension. Use of site for maintenance, storage, display and sale of agricultural and commercial vehicles and machinery. Granted conditional permission 22 December 1995

Principle of Development

5.8 The National Planning Policy Framework (the Framework) confirms the Government's commitment to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

5.9 In regards to the rural context of this site, paragraph 28 of the Framework states "Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:-

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings; "

- 5.10 Saved Policy EMP4 of the adopted Cherwell Local Plan seeks to encourage economic activity in the rural areas of the district by identifying opportunities for employment generating development and, in particular, for small businesses. The policy states that proposals for redevelopment or minor extensions to existing acceptable employment sites will normally be permitted, provided that the scheme and any associated employment activities can be carried on without undue detriment to the character and appearance of the locality or to residential amenity.
- 5.11 Kelberg Ltd has occupied the application site for a considerable amount of time, over which their operations have been extended and evolved. Their current operations consist predominantly of assembling, repairing and servicing trailers. They also fit bodywork to smaller trucks and service their own vehicles. The proposed development seeks to expand the existing operations by providing an enlarged covered area and employing 7 new members of staff.
- 5.12 The proposed extension would increase the number of workshop bays from 5 to 7 and provide a covered space for an existing wash area. Including the existing office, the proposal would amount to a 48 percent increase in the building floor area. Whilst this is a sizeable increase, the provision of two additional bays and covering an existing washing area would not be considered a disproportionate increase in relation to the existing built form or use. The proposal would simply extend the existing building lines and the extension is located to the rear of the existing building where the impact on the character and appearance of the surrounding area would be reduced. The proposed extension would be fully contained within this established employment site, which is located in close proximity to other similar uses and is designated in the Non-Statutory Cherwell Local Plan 2011 as part of a site for proposed employment use. Furthermore, the extended building would be located a sufficient distance from the site boundaries minimising the impact on the amenity of the adjoining occupiers.
- 5.13 The proposal provides economic development within a rural area and constitutes a relatively minor extension to an existing acceptable employment site. The principle of the proposed extension, subject to complying with other material planning considerations, is therefore considered acceptable in isolation and in compliance with the provisions of Policy EMP4 of the adopted Cherwell Local Plan and the Framework.
- 5.14 It is acknowledged that the level of commercial activity and size of the associated buildings have increased over the years and previous applications for redevelopment and extensions have been refused. However, as identified above, this proposal would have a positive economic benefit and would not result in an overly large or harmful increase in the size of the existing operation. It is also noted that the proposed extension is significantly smaller in size than the most recently refused application for an extension, referenced 06/01321/F.

Character and Appearance

- 5.15 The NPPF attaches great importance to the design of the built environment, stating '*good design is a key aspect of sustainable development... and should contribute positively to making places better for people.*' It stresses the need to

plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Whilst it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness, continuing that *'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'*.

- 5.16 Saved Policy C28 of the Adopted Cherwell Local Plan supports the use of good design in line with the provisions of the Framework outlined above and full weight should therefore be attached to the provisions of this policy.
- 5.17 The application site consists of a two storey office building and large workshop. The proposed extension would continue the existing building lines and form of the workshop and closely replicate the existing openings, features and composition. The proposal would therefore be compatible with the character and appearance of the existing building.
- 5.18 The existing building is large in the context of the surrounding development and the proposal would add to the bulk and massing of this already substantial building. However, the proposed extensions are located to the rear where the impact would be reduced and are set in a sufficient distance from the site boundaries, ensuring the proposal would not detract from the spacious character of the surrounding area. Furthermore, there are other large buildings in the surrounding area and the trees around the site boundaries would partially conceal the extension and soften the impact of the proposed development.
- 5.19 The materials have been carefully selected to match the existing and the green finish would be beneficial in blending the proposal into the surrounding landscape and reducing the visual prominence of the building.
- 5.20 Given the level of existing planting around the site boundaries, no additional landscaping is considered necessary to soften the impact of the proposed development.
- 5.21 The proposed development is therefore compatible with the existing buildings and would not harm the character and appearance of the site or surrounding area, in accordance with Policy C28 of the Adopted Cherwell Local Plan and Policy ESD16 of the Emerging Local Plan and the Framework.

Impact of Amenity

- 5.22 A core planning principle as set out in the Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 5.23 Whilst the surrounding area consists predominantly of commercial uses, the site appears to be adjoined on either side by residential properties and a caravan site is located opposite. The proposed extension is set in from the site boundaries and located a sufficient distance away from the adjoining dwellings and key amenity space. The proposed development would not therefore harm the visual or residential amenity of the surrounding occupiers, as it would not

be overbearing or materially affect levels of daylight, sunlight or overshadowing.

- 5.24 The proposed development would result in an intensification of the existing use and an increase in the level of activity. However, the site is located in a mix use area on a classified road where background noise levels are fairly high and a degree of disturbance is common place during normal working hours. The increase in on-site activity as a result of the proposed development is unlikely to result in a harmful increase in noise levels or disturbance during normal working hours to the surrounding occupiers/users. It is noted that the hours of operation have been restricted in the previous application for redevelopment. This restriction is still applicable and necessary to protect the surrounding occupiers from disturbance later in the evening and early in the morning when background noise levels are low and residents can reasonably expect a quieter environment. Whilst these restrictions associated with the original permission are still applicable, it is recommended they are re-attached to any new planning permission which may be granted for the avoidance of doubt. Other conditions are also recommended relating to the use of the workshop to minimise noise and disturbance to the surrounding occupiers/users.
- 5.25 The proposed development would not therefore harm the amenity of the surrounding users/occupiers, in accordance with Policy ENV1 of the adopted Cherwell Local Plan and the Framework.

Highway Safety and Parking

- 5.26 No changes are proposed to the site access as part of this development.
- 5.27 Sufficient provision would be retained on site for parking, storage and vehicle circulation.
- 5.28 The Local Highway Authority has raised no highway safety concerns with the proposed development.
- 5.29 The proposed development would not therefore result in conditions prejudicial to highway safety or adversely affect the provision of on-site parking and circulation.

Consultation with Applicant

- 5.30 As there were no issues that needed to be addressed with the application as submitted, no contact with either the agent or applicant was deemed to be necessary.

Conclusion

- 5.31 The proposed development is considered acceptable as it represents a minor extension to an established and acceptable employment site. The proposed extensions are compatible with the style and form of the host building and would not detract from the character and appearance of the surrounding area. There will be no adverse impact on neighbouring properties or to the natural environment. Access will not be affected and sufficient parking provision has been retained. A good standard of design has therefore been achieved and the proposal would comply with Policies EMP4 and C28 of the Adopted Cherwell Local Plan and the National Planning Policy Framework.

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 numbered: Design and Access Statement, Site Location Plan, 14/11/01 and 14/11/02.

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. The materials to be used for the external surfaces of the development hereby approved shall match in terms of colour, type and texture those used on the existing building.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. The operational use of the workshop hereby approved shall be restricted to the following times:-

Monday-Friday – 8.00am to 6.00pm
Saturday – 8.00am to 1.00pm
and no time on Sundays or Public Holidays

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Assembly operations inside the building hereby approved shall be carried out with the workshop main doors and pedestrian access doors closed except when vehicles or personnel are moving in and out of the building.

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National

Planning Policy Framework.

6. The workshop shall be provided with sufficient silenced mechanical extract ventilation so as to permit working within the extended workshop during hot weather with all external doors closed.

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

7. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 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.