

**Site: Bloxham Mill, Barford Road  
Bloxham, Banbury**

**15/00418/F**

**Ward:** Bloxham and Bodicote

**District Councillors:** Cllr Chris Heath  
Cllr Lynda Thirzie Smart

**Case Officer:** Aitchison Raffety

**Recommendation:** Refusal

**Applicant:** Bloxham Mill Ltd

**Application Description:** Erection of B1 (Class 2) leased office accommodation – provision of two storey office accommodation, parking and landscaped amenity

**1. Site Description and Proposed Development**

- 1.1 Bloxham Mill is a collection of employment buildings providing serviced offices and meeting rooms for small and medium sized businesses, plus space for some community uses (Class D2). It is located 1.2 km south of Bloxham village centre, close to the edge of the existing built envelope of the settlement. Access is taken off Barford Road via a narrow private lane. The site is located within an Area of High Landscape Value and is designated as a BAP Priority and Section 41 habitat area of lowland mixed deciduous woodland.
- 1.2 The existing office structures at Bloxham Mill are located on the western part of the holding. Parking is provided around all sides of the buildings but with the main parking area to the east.
- 1.3 The application site incorporates 0.2 ha of land to the east of this existing parking area. The application site is largely level, laid to grass and edged by trees. There are some areas of dumped material (soil, felled trees and concrete slabs) on the land. To the north and south are open fields at present, with a spinney of trees to the east and open countryside beyond that. To the west is Bloxham Mill and its car parking area.
- 1.4 This planning application is seeking permission for the construction of two office buildings. The existing parking area will be extended to provide 24 additional spaces and a turning area, with the new buildings on the eastern part of the site. The buildings are to be aligned in an east/west direction, with a central courtyard area. They will provide eight new B1 office units of 91/92 sq m each. The buildings are a maximum of 6.6 metres in height, with a low monopitch roof. The buildings are a maximum of 27.1 metres in length and are individually 9.4 metres wide. They are to be connected on the western façade by a curved archway. Entrances are taken off the central courtyard, with large sections of glazing along the north, south and east elevations. Minimal openings are provided on the western façade. The building will be constructed from timber panels with a standing seam zinc roof. Powder coated metal framed windows and doors will be installed.

## 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 March 2015. No correspondence has been received as a result of this consultation process.

## 3. Consultations

- 3.1 **Bloxham Parish Council:** No objections, but make the following comments:

1. The Travel Plan dates back to 2006 and a Habitat Survey dating back to 2011 had been used to support the application. The PC would have wished to have seen this application supported by up to date surveys.
2. From the 105 neighbour consultees, none were located on the Barford Road. (Planning officers note – the individual consultation was aimed at those properties to the north who can view the site)

### **Cherwell District Council Consultees**

- 3.2 **Ecology Officer:** No response

- 3.3 **Environmental Protection Officer:** No response

### **Oxfordshire County Council Consultees**

- 3.4 **Highways Liaison Officer:** It is considered that additional traffic generated by the proposal will have no detrimental impact on the adjacent highway and as such Oxfordshire County Council as Local Highway Authority hereby notifies the District Authority that they do not propose to object to the grant of permission subject to a number of conditions including the submission of an up to date Travel Plan Statement which should be sent to the Travel Plan Team at Oxfordshire County Council for approval before first occupation.

There are no objections to the proposal from a traffic and highway safety point of view subject to the following conditions:

- i. Prior to the first occupation of the development hereby approved, the parking and manoeuvring areas shall be provided in accordance with the plan approved and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring area shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

Reason: In the interests of flood prevention and to comply with Government guidance contained within the National Planning Policy Framework.

- ii. Prior to the first occupation of the development hereby approved, a Travel Plan Statement prepared in accordance with the Department of

Transport's Best Practice Guidance Note 'Using the Planning Process to Secure Travel Plans' and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan Statement shall be implemented and operated in accordance with the approved details.

Reason: In the interest of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

- 3.5 **Rights of Way Officer:** No comments as it will not affect any public rights of way.

## **4. Relevant National and Local Policy and Guidance**

### **4.1 Development Plan Policy**

Adopted Cherwell Local Plan (Saved Policies)

C1: Nature Conservation

C4: Ecology – habitat creation

C7: Landscape conservation

C13: Area of High Landscape Value

C14: Trees and landscaping

C28: Layout, design and external appearance of new development

EMP4: Employment generating development in the rural areas

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, with the latest update published in February 2015. This document carries more weight than has been previously attributed that can be attached to the Plan will increase. 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

## ESD13: Local landscape protection and enhancement

### 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:

TR5: Road Safety

TR11: Parking

Appendix B: Parking Standards

## 5. Appraisal

5.1 The key issues for consideration in this application are:

- Relevant Planning History
- Principle of Development
- Layout and Design
- Scale and its Impact upon its Setting
- Protecting Amenity
- Access and Parking
- Other Matters

### Relevant Planning History

5.2 The following applications relating to the wider Bloxham Mill site are relevant to this proposal:

- 00/01671/F: Relaxation of conditions 5 and 6 of planning permission B.164/71 to permit use of building for unrestricted B1 light industrial/office use and B2 general industrial use. Approved 26/09/2000
- 00/02102/F: Demolition of part single storey building and construction of new reception link with part mezzanine floor together with associated car parking and recladding of one façade, including additional glazing, for use as B1 offices. Approved 17/11/2000
- 00/02103/F: Recladding of existing buildings with composite cladding panels including the formation of additional windows together with associated car parking for use as B1 offices. Approved 17/11/2000
- 01/01696/F: Demolition of warehouse and erection of two storey office accommodation (Phase II). Approved 05/10/2001
- 03/00965/F: Extension of existing car parking and additional landscaping of existing car park and amendments to site layout (part retrospective) as per agents letter received 13/08/2003 and amended plans received 06/01/2004. Approved 17/11/2004

- 04/00384/F: Change of use of unit 16 to D2 use (Assembly and Leisure) (retrospective). Approved 30/06/2004
- 5.3 The following application relating specifically to the application site is relevant to this planning application:
- 12/0005/F: D1/D2 amenity building at Bloxham Mill Centre – provision of childcare woodland day nursery and dance studio. Approved 23/03/2012. This permission has not been implemented
- 5.4 One application on land to the north of the Bloxham Mill site and south of Milton Road is relevant to this proposal:
- 14/01017/OUT: Residential development comprising up to 85 dwellings with access and associated infrastructure. Approved 09/03/2015

### **Principle of Development**

- 5.5 This planning application must be determined in line with the development plan unless other material considerations indicate otherwise. The main policy considerations are set out in section 4 above.
- 5.6 The proposal is considered to be set within the curtilage of an existing employment site and thus Policy EMP4 of the adopted Cherwell Local Plan is a key policy, along with Policy SLE1 of the Submission Cherwell Local Plan. As the latter policy is contained within a document that has not yet been adopted, less weight can be afforded to that policy compared to the adopted Local Plan policies. Nonetheless, both are still relevant to the determination of this planning application. These policies set out the following:

#### Policy EMP4 (Adopted Cherwell Local Plan)

*In the rural areas, proposals for employment generating development of the following types will normally be permitted:*

- (a) *within an existing acceptable employment site, including redevelopment;*
- (b) *conversion of an existing building or group of buildings (provided that the form, bulk and general design of the buildings concerned is in keeping with the surrounding area and, in the case of a building beyond the limits of a settlement, can be converted without major rebuilding or extension).*
- (c) *within, or adjoining settlements, for a minor extension to an existing acceptable employment site*

*Provided that the proposal and any associated employment activities can be carried on without undue detriment to the appearance and character of the rural landscape and without harming the amenities of settlements or the special character and interest of a building of architectural or historic significance.*

#### Policy SLE 1 (Submission Cherwell Local Plan)

*New small scale employment proposals within rural areas will be supported if they meet the following criteria:*

- *They will be within or on the edge of the villages listed in 'Policy for Villages 2: Distributing Growth Across the Rural Areas'*
- *They will meet an identified local need, justifying the village/rural location for the proposal*
- *They will be designed to a very high quality using sustainable construction, and be of an appropriate scale and character to the village and its location*
- *They will be outside of the Green Belt, unless very special circumstances can be demonstrated*
- *The proposal and any associated employment activities can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally including on any designated buildings or features (or on any non-designated buildings or features of local importance)*
- *The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car*
- *There are no suitable available plots or premises within existing nearby employment sites*

5.7 Bloxham is a Category 1 and now Category A village, which classifies it as a service centre. It is therefore a settlement whose role serves both the inhabitants of Bloxham and the surrounding smaller villages and hamlets. Supporting this position, Bloxham Mill represents a key employment location with over 250 persons on site. The function of this site has been altered substantially in the last 15 years, with the buildings initially converted and then some replaced and/or enlarged to strengthen its role as an employment site. The proposal would augment the role that this site has, which is in line with the ethos of Policy EMP4 criteria (a) and Policy SLE1 point 1.

5.8 Information provided in support of the planning application identifies the need for additional office accommodation in this location, citing existing occupiers who are looking to expand but are not currently able to do so, as the units are all occupied. This illustrates the need for additional office accommodation, supporting the provision of additional floor space within an existing, successful employment site, in line with Policy SLE1 point 2.

5.9 Additionally, approval was granted in March 2012 for a new building on the application site for D1/D2 uses (application 12/0005/F). This permission has now expired without implementation. That approval highlighted the principle of allowing further expansion of Bloxham Mill Business Centre. Although there have been significant policy changes in the intervening period, including the revocation of PPS 6 and the Regional Spatial Strategy and publication of the Framework, PPG and Submission Cherwell Local Plan, the principle of development is supported by these new and emerging documents.

5.10 The impact of the proposal, through its scale, design and relationship to surrounding landscape and uses are however, important to the creation of an acceptable scheme. These elements are considered below.

### **Layout and Design**

- 5.11 The Framework highlights that local planning authorities should not be prescriptive as to the design approach to the appearance of new buildings, but high quality developments should be sought, with design cues taken from the surrounding area as appropriate.
- 5.12 The proposed development will provide additional parking on the western part of the application site, extending the existing parking area associated with Bloxham Mill. The new buildings will then be located on the eastern part of the site. This represents a coherent and logical use of the site. However, it places the new buildings on the far side of the employment site to all other buildings. With a separation of over 110 metres, the new building will be seen as an isolated building on the site. A high quality building of the right design and scale is therefore paramount to a scheme being acceptable in this context.
- 5.13 The permission granted to the north of the site will provide housing closer to the site, but the building will still be seen as the easternmost structure in this part of the landscape. As it is set within an Area of High Landscape Value, protecting its countryside appearance and features of value are important.
- 5.14 The proposed offices are designed as a pair of buildings which face both into the courtyard between the structures and outwards over the adjacent countryside. The design offers regular sections of full height glazing and timber cladding which creates a vertical emphasis that is balanced by the horizontal detailing at first floor and eaves level. This provides attractive elevations, topped by a simple monopitched roof with overhang and standing seam detail. The buildings are marginally offset from each other to create a wedge shaped courtyard between them, with the angle masked by the projecting entrances. The buildings are at a minimum 7.3 metres apart, which will result in some overlooking between units, but not to a level that is considered unacceptable for employment uses.
- 5.15 In contrast to the other elevations, the western façade is designed as a curved feature wall, with limited apertures. This creates a large bulk to the façade, which incorporates an archway that links the two buildings. Whilst the materials offer a visual link to the rest of the building, it offers little articulation to break up its mass. The design concept is to focus views through the courtyard area to the copse to the east, but its orientation results in a lack of visual integration with the associated car parking and the remainder of the Bloxham Mill Business Centre. This design approach is not considered to offer an appropriate appearance to what is in effect a front elevation, with the buildings effectively 'turning their backs' on the rest of the employment site. The orientation of the building, through its proposed design will also relate poorly to the approved residential development to the north-west (application 14/01017/OUT).
- 5.16 The separation of the proposed buildings from the other structures on the business park generates the opportunity for a different design to be created. With the exception of the western façade, the design of the building is considered attractive. However, as a result of the western elevation, the design of the building is considered contrary to Policy C28 of the adopted Local Plan and the Framework.

## **Scale and its Impact upon its Setting**

- 5.17 The existing business centre buildings occupy the western part of the 1.6 ha employment site, with the car parking area largely to the east, leading towards the application site and small woodland copse. The site is part of an area recognised as having a High Landscape Value and as such, Policy C13 of the Adopted Cherwell Local Plan applies. This seeks to conserve and enhance the environment, with new buildings paying particular attention to siting and design within this context. The Framework reinforces this position, highlighting that the countryside needs to be protected for its own sake.
- 5.18 The site is bounded by countryside in three directions (north, south and east). The topography and ground conditions of the local area restrict long distance views towards the site, but short and medium distance views are possible. Key views, albeit filtered by some vegetation are from Milton Road to the north and footpath 136/4 which runs along the western edge of the Business Centre site.
- 5.19 The proposed buildings are set over 110 metres from the existing structures on Bloxham Mill Business Centre, resulting in them being seen largely in isolation within the open countryside. Whilst the approved housing application to the north-west of the site (application 14/01017/OUT) will bring development closer to the application buildings and screen views from the footpath, the new office buildings will still be set further to the east and seen within a countryside context.
- 5.20 The surrounding land is largely level, which enables clear views of the existing employment buildings on the wider site. The copse to the east will screen little of the new buildings, and there is little opportunity to incorporate further planting on the application site to assist in assimilating the building into the natural landscape. In fact, the footprint of the buildings raises some concerns over the potential loss of some trees and future pressure to reduce the crowns in the future. To ensure at least the same level of tree cover remains, any approval would need to incorporate a condition to this effect. Conversely, the scale of development significantly restricts the ability to offer ecological improvements. Aerial photography identifies the whole of the site was covered in woodland less than 10 years ago. Given the site's BAP status, opportunities should be taken to protect, if not improve, its ecological value.
- 5.21 The current proposal is all two storeys in height, with linear facades and an unbroken eaves and ridgelines. Whilst offering distinctive structure, it is considered that it will appear isolated and over-dominant within its setting. Its position and scale will result in intrusive development beyond the limits to development, which would undermine the open and undeveloped character and appearance of the Area of High Landscape Value.
- 5.22 A previous scheme for a D1/D2 building has been approved on the application site, with the building in a similar location (application 12/00005/F). Although expired without implementation, the design of this building was notably different to the current proposal, with stepped facades, a mix of facing materials and one and two storey sections breaking up the mass of the building. It was also significantly smaller than the current proposed office buildings:



	<u>Approved D1/D2 Building</u>	<u>Current Proposal</u>	<u>% Difference</u>
Footprint	522 sq m	910 sq m	+ 74.3%
Height	5.8 m	6.7 m	+ 15.5%
Length	22.5 m	27.1 m	+ 20.4%
Width (each)	18.3 m	9.3 m	- 49.2%
(combined with courtyard/arch)		27.5 m	+ 50.3%

5.23 The enlargement of the overall scale and mass of the building through its design and overall size, results in a pair of structures that are notably larger than the previous approved scheme, with all parameters of the buildings increased. An issue in respect of the overall footprint/floor area of the buildings was highlighted through pre-application, advice that has not been taken on board as the floor area has increased further as part of this planning application.

5.24 A reduced scale building may enable a suitable development along the same design approach to be acceptable as that currently proposed. However, the application for determination in scale and mass, is considered excessive and over-dominant, to the detriment of the character and appearance of the Area of Particularly Attractive Countryside. It also fails to take the opportunities available to improve the rural character and ecological value of the land. The proposal is therefore considered contrary to Policies EMP4, C4, C7, C13, C28, of the Adopted Cherwell Local Plan; Policy ESD13 of the Submission Cherwell Local Plan (January 2014) and The Framework.

### **Protecting Amenity**

5.25 The development is currently separated from all built development, with the exception of the existing employment buildings. No issue will occur in respect of the proposed relationship to these buildings.

5.26 Approval has been granted for 85 houses on land to the north-west of the application site (application 14/01017/OUT). The layout of the residential development is to be considered as a reserved matter, and thus the precise arrangement to these properties cannot be ascertained. However, the proposed parking area will abut these new houses, with an intervening landscaping strip retained along the boundary. This relationship is no different to that already created by the existing parking area to the west and is therefore considered acceptable. The proposed office buildings are over 20 metres from the corner of the proposed housing site and set at right angles so that the limited windows within the western elevation of the new office buildings face over the parking area rather than the adjoining housing land. No loss of privacy to the proposed housing is therefore expected. Likewise, the proposed use as offices will not cause undue noise or disturbance to the new dwellings.

5.27 The proposal therefore protects amenity of all existing and approved buildings, in line with Policy C31 of the adopted Local Plan.

### **Access and Parking**

5.28 The proposal seeks to utilise the existing access arrangements for Bloxham Mill, leading from Barford Road to the site. This will put further pressure upon the current access arrangements but the level of additional movements is not

considered to undermine highway safety or the free flow of traffic on the public highway, and the highway authority have not objected. .

- 5.29 In association with the development, 24 new parking spaces are proposed. This level of parking is in line with Policies TR5, TR11 and Appendix B of the Non-Statutory Cherwell Local Plan for an office development of this scale. The Travel Plan submitted with this application dates from 2006, with an update from 2011. These relate to the wider site and previous approval. As part of this proposal, an updated Travel Plan would be required to encourage sustainable travel movements. This could be conditioned as part of any approval.

### **Other Matters**

- 5.30 The site lies within an area with known to have naturally occurring arsenic levels above soil guidance levels produced by DEFRA. These elements are not considered a risk to occupants for business use, but care would need to be undertaken by contractors during the construction phase. A note to this effect could be attached to any approval.

### **Consultation with applicant**

- 5.31 Pre-application consultation was undertaken with the agent in respect of new office accommodation at Bloxham Mill. The design and building arrangement related to a different layout, where concerns by the planning officer were taken on board. The footprint/floor area of the buildings was also considered too large, with a suggestion that a scheme more akin in floor area to that previously approved would be acceptable. This advice has not been taken on board, with the submission proposal larger than the pre-application scheme.
- 5.32 Good communications were maintained with the agent to ensure that issues that arose during the course of the application were discussed. It was concluded by the applicant that the plans were not to be amended to resolve the issues highlighted, with the knowledge that it may be refused.

### **Conclusion**

- 5.33 The proposed new office buildings are considered excessive in scale and mass, detrimentally affecting the open character and appearance of the Area of High Landscape Value within which it is located..
- 5.34 Additionally, the design of the buildings themselves fail to appropriately relate to the other buildings and associated parking area at Bloxham Mill Business Centre, due to the design of the western elevation and its lack of apertures. This generates a poor design with little architectural detail and lack of inter-visibility between the building and employment park.

## **6. Recommendation**

**Refusal**, for the following reasons:

- 1 The scale and mass of the proposed buildings, given their isolated location compared to the other employment buildings at Bloxham Mill Business Centre, are considered excessive in scale and mass such that they would detrimentally affect the open character and appearance of the Area of High Landscape Value within which it is located. Consequently, it is contrary to Policies EMP4, C7, C13, and C28 of the Adopted Cherwell Local Plan; Policies SLE1 and ESD13 of the Submission Cherwell Local Plan and The National Planning Policy Framework.
- 2 The development fails to take advantage of the opportunities available to improve the landscape and ecological setting of its rural location and its BAP habitat designation, contrary to Policies C1 and C4 of the Adopted Cherwell Local Plan and Policy ESD13 of the Submission Cherwell Local Plan.
- 3 The design of the proposed building is considered to be inappropriate in its' context and is therefore contrary to Policy C28 of the Adopted Cherwell Local Plan and the National Planning Policy Framework.

### **Statement of Engagement**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2015 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.