

**2 Talisman Road
Bicester
OX26 6HR**

17/01299/F

Applicant: South Central Ambulance Service NHS Foundation Trust

Proposal: Flexible change of use from B1(c) (Light Industrial)/B8 (Warehousing) to allow a Training Centre (Class D1) or B1(c) (Light Industrial)/B8 Warehousing) use.

Ward: Bicester South And Ambrosden

Councillors: Cllr David Anderson
Cllr Nick Cotter
Cllr Dan Sames

Reason for Referral: At the request of the local ward councillor

Expiry Date: 18 August 2017 **Committee Date:** 3 August 2017

Recommendation: Refuse

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to a 1,080 sq m industrial unit on a smaller industrial park just outside the extended town centre of Bicester – as outlined in the Cherwell Local Plan 2011-2031. There are a total of 13 units comprising the site, which is not identified as a strategic business centre in the Local Plan, but as part a mixed use area around the Bicester Village Railway Station, which the site is immediately adjacent.
- 1.2. The existing building is constructed from brick with steel structure and is part clad in rolled metal; it has a shallow pitched roof design and is approximately 7m high.
- 1.3. The current usage is B1(c)/B8 and was most recently used by a medical devices business as warehousing until late-2016, since which time it has been vacant.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The proposed development is for a change of use from the current flexible use to allow a mixed use *Training Centre (Class D1) or B1(c) (Light Industrial)/B8 Warehousing* use.
- 2.2. The proposal is such that roughly 40% of the unit would be use for the purposes of training (D1 use) and the remainder would be used for a mixture of office (B1) and for storage of equipment (B8).

3. RELEVANT PLANNING HISTORY

- 3.1. There is no planning history directly relevant to the proposal

Application Ref.

Proposal

Decision

89/00637/S Erection of buildings and associated car Application
parking and landscaping for B2/B8 use Permitted
(Units 1-5 inclusive) and B1 use (Units 6-9
inclusive). New accesses.

4. PRE-APPLICATION DISCUSSIONS

4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a site notice displayed near the site and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 24.07.2017, although comments received after this date and before finalising this report have also been taken into account.

5.2. The comments raised by third parties are summarised as follows:

- Concern over lack of sufficient parking
- Overspill parking on nearby residential roads and grass verges

The concerns above were raised by the Ward Councillor and were given as reasons for the application being referred to committee.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. BICESTER TOWN COUNCIL: No comments received to date

STATUTORY CONSULTEES

6.3. OCC HIGHWAYS: No objections, with the following comments:-

There will be a maximum of 42 staff and up to 45 visiting students on the site, which has the use of 21 parking spaces.

The Talisman Business Centre is on a private road, not part of the public highway, and parking is administered by the Centre management. There is a permit system in place to control unauthorised use. It is assumed that permits will be allocated to the permanent staff such that there is not excess demand beyond the 21 spaces. A proportion of the staff will travel regularly by public transport, car-share or walk/cycle, and will therefore not require a space. Also, some of the staff will be out of the office at any time due to vacation, sick leave, etc.

The Transport Statement affirms that visitors will not be permitted to park on site, and that they will be advised of suitable parking locations, the park and ride shuttle

bus, and train and bus options. It is likely that some visitors may still drive directly to the site, but it will be a private enforcement matter if they choose to park within the Business Centre. Other visitors may elect to seek a parking space in nearby residential roads, which they are entitled to do if the parking is not restricted. Parking is an amenity issue and may cause inconvenience to residents, but it is not a reason for objection unless it will have a detrimental effect on highway safety.

The proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view, therefore I offer no objection.

NON-STATUTORY CONSULTTEES

6.4. CDC BUSINESS SUPPORT UNIT: No comments received to date

6.5. ENVIRONMENTAL PROTECTION: No comments received to date

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 - Presumption in Favour of Sustainable Development
- SLE1 - Employment Development
- SLE4 - Improved Transport and Connections
- BSC7 - Meeting Education Needs
- ESD15 - The Character of the Built and Historic Environment

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Oxfordshire County Councils Local Transport Plan 2015-2031

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of development / Impact on employment development
- Design, and impact on the character of the area
- Impact upon transport network and car parking provision

Principle of development / Impact on employment development

- 8.2. Policy SLE1 governs the provision of employment and its continued development in the district. It states that existing employment sites should be retained unless the following criteria are met:-
- a) The applicant can demonstrate that an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term.
 - b) The applicant can demonstrate that there are valid reasons why the use of the site for the existing or another employment use is not economically viable.
 - c) The applicant can demonstrate that the proposal would not have the effect of limiting the amount of land available for employment.
- 8.3. The unit has only been empty for 6 months, which does show some lack of interest but is not considered to be 'long term' in the strictest sense or the sense intended by such policies aimed at preserving the district's stock of B class premises. Six months is in the realms of a normal vacancy period between uses. There is no evidence provided that the unit has been marketed for any period of time. A web search does show an advert for the unit; however, it does not indicate how long it has been advertised for.
- 8.6. The proposed use is still for an employment-generating use, albeit it is reduced from the theoretical maximum under its current/previous use and not a B class use, which is the class of use to which Policy SLE1 relates. The Planning Statement states that more than 50% of the number of previous employees, compared to the previous use case would be retained.
- 8.7. The applicant has provided details suggesting that some form of sequential test has been performed on other potentially suitable sites for the training centre use. The applicant viewed 18 locations in Oxfordshire and 1 in Buckinghamshire, several of which fall within the Cherwell District. They were found to be unsuitable for some of the following reasons; availability, size, layout, difficulty with fit out, lack of parking and SCAS's operational requirements. The application site was, however, found to be the most suitable, given the search parameters above, and *'does not present any potential restraints to the intended use'* according to the statements provided in support of the application. However, the report is scant on details of the parameters and does not provide real examples of why some sites fell short and Talisman was the best and so officers consider that limited weight should be given to this evidence.
- 8.8. There is scant evidence provided in support of the current use not being economically viable, beyond its six months vacancy. This is also based on the presumption mentioned above that it has been marketed for this period, i.e. if it was not marketed for a suitably long period then no other potential companies could have found it to be unviable. There are no examples of enquiries with regard to the unit from other potential occupiers and there are no valid reasons for not taking up the unit, or why the unit could not be taken up by a B1/B8 usage more generally.
- 8.9. With regards the limiting of land for employment purposes, the local plan allocates considerable land at Bicester for current and future employment and the Talisman Road site is not highlighted as a specific zone for industrial/commercial use. The Bicester Masterplan identifies the area around Talisman Road as the *'Mixed-use Station Quarter'* and goes on to state *'The area around the station should be redeveloped and inappropriate uses relocated. This will enable a vibrant mixed use urban quarter to be created, which will become a new 'gateway' for the town and guide visitor to Bicester Village, the town centre and adjacent new employment opportunities.'* It is considered that the proposed use would accord with the above

points, in particular given the number of staff the proposed use would retain. Also as the proposed use is mixed/flexible and is still in large part direct employment use, this does not wholly serve to limit 'the amount of land available for employment'.

- 8.10. Under the proposed use the exact mix of D1 and B1/B8 is not governed, though the applicant has made it clear they currently intend on a mix of 40/60 respectively. It could be that the applicant, under a change of circumstances, could change from the current mix of usage, with the potential for a higher proportion of D1 usage as a training centre. This might serve to limit the actual employment opportunities at the site and must be considered against the policy.
- 8.11. BSC7 states that the Council will ensure the provision of '*other facilities which provide for education and the development of skills*' in the town. This is in support of developing the skills base of the district, which is historically low. This proposal accords with this policy.
- 8.12. Notwithstanding, for the above reasons it is considered that, on balance, the principle of the proposed change of use is not acceptable, specifically because the lack of evidence in support of SLE1 and the lack of detailed evidence to enable a sequential test on the alternative sites considered by the applicant. It has therefore not been demonstrated that the proposal is a sustainable form of development in accordance with PSD1, the NPPF and associated guidance.

Design, and impact on the character of the area

- 8.13. The proposal does not contain any external alterations to the building and relates solely to the change of use of the building and some internal layout changes. As a result it is considered that the proposal would not have any impact on the visual amenity and would therefore accords with saved Policies C28 of the Cherwell Local Plan 1996 and ESD15 of the Cherwell Local Plan (Part 1) 2011 – 2031 in visual amenity terms.

Impact upon transport network and car parking provision

- 8.14. SLE 4 states '*All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling.*'
- 8.15. The location at Talisman Business Park is considered to have good links for public transport; being adjacent to Bicester Village rail station, on the local bus network and a short walk from the bus station. It can be reached on foot and by bicycle from a good proportion of local residents.
- 8.16. There is concern over the projected numbers of users at the unit. The transport statement uses a worst case scenario figure of 87 potential travellers to the site on some days. It is agreed this figure is unlikely in practice. However, anything approaching this could be detrimental to parking given the restricted number (21) of parking spaces available at the unit, unless a robust plan for alternatives is put in place.
- 8.17. The ward councillor has raised this as a potential issue with regards parking on residential streets. However, unless restricted (by yellow lines for instance) they are entitled to do so, unless there was an impact on highway safety, which the OCC Highways officer considers unlikely.
- 8.18. The supporting transport statement does also make reference to a number of reasons the level of vehicles will be lower;

- Bicester Park and Ride as an additional resource for parking. The Ambulance Service has a mini-bus and they would plan on using this to maximise the use of the Park and Ride with a shuttle service – particularly with respect to trainees.
- Some staff will car share
- Visitors are likely to car share (particularly trainees who'll be attending with colleagues)
- Visitors will not be permitted to park on site
- Good public transport links

8.18. The 21 parking spaces available have permits and are likely to be allocated to permanent staff, with visitors advised they will not be able to park on site.

8.19. The local highway authority considers the proposal would not adversely affect the local highway network from a traffic and safety point of view and has no objections to the application.

8.20. In light of their comments, and given the alternatives as set out above and the restrictions to control unauthorised use in the industrial park it is considered that there would not be any adverse impact on the transport network or nearby parking and the proposal therefore accords with the NPPF in highway safety terms.

9. CONCLUSION

9.1. It is considered that, whilst the change of use to allow an empty unit to be occupied would be positive in securing some additional jobs in the district, this does not outweigh the harmful impacts from loss of B1/B8 land and insufficient evidence has been presented to explain why alternative sites are less suitable when compared to 2 Talisman Road and the application premises has not been vacant or marketed in the long term. The proposal therefore fails to accord with Policy SLE1 of the Cherwell Local Plan 2011-2031 Part 1. The application should therefore be refused.

10. RECOMMENDATION

That permission is refused, for the following reason(s):

1. The proposal would result in the loss of a Class B1/B8 land use which has not been justified. The site has been marketed as being vacant but it is not known for how long it was marketed, the site has only been vacant for a period of 6 months and it has not been demonstrated that there are reasons why the site is not economically viable. The loss of the employment land is contrary to the aims and objectives of Policy SLE1 of the Cherwell Local Plan 2011-2031 and government guidance within the National Planning Policy Framework.