

Case Officer: Joel Turner

Applicant: FINSCO Property Company Ltd

Proposal: Outline planning permission with all matters reserved, apart from means of access, for the construction of eight light industrial (Class E(g)(iii)) and general industrial (Class B2) industrial units and associated works including parking and landscaping and demolition of existing buildings.

Ward: Cropredy, Sibfords & Wroxton

Councillors: Councillor Phil Chapman, Councillor Douglas Webb, Councillor Chris Brant

Reason for Referral: Major development of over 1,000 sq m floor space created

Expiry Date: 1 September 2025

Committee Date: 4 September 2025

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site currently consists of a stone processing yard with several ancillary buildings and compacted hardstanding areas within the site. The site is positioned on the eastern side of the A422 Stratford Road. The site is currently accessed from an unadopted and unnamed road, which has a junction with Stratford Road.
- 1.2. The existing buildings on site are irregularly arranged within the plot and have been used for the existing operations of the stone processing yard. Their external appearance is reflective of its industrial character and are not considered to possess any architectural merit, nor do they make any contribution to the established rural character of the surrounding area.
- 1.3. In the near vicinity of the site to the east, an industrial development is currently under construction, which was approved by Oxfordshire County Council through Reserved Matters under planning application refs: MW.0105/17 and MW.0106/17 for up to 1,220sqm of B2 floorspace and an overall ridge height of 9.7 metres. In addition, further to the east is a grouping of 3 agricultural buildings that were approved under planning application reference: 16/00752/F.
- 1.4. To the southeast of the site lies Hornton Grounds Farm, which is a 19th century farmhouse (Grade II Listed), with several ancillary buildings include a farmyard shop and a B&B operation.

2. CONSTRAINTS

- 2.1. There are no restrictive planning designations that apply to the application site. The site lies within Flood Zone 1.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The proposal seeks outline planning permission for a change of use of the site and the construction of up to 8 light industrial units within Classes E(g)(iii) and B2 and associated works including parking, landscaping and the demolition of existing buildings.
- 3.2. The proposed buildings would have a cumulative floor area of up to 1,572sqm (8 x 196.5sqm industrial units) with the indicative site layout plan showing 36 car parking spaces and 30 bicycle spaces. Access would be via the existing unadopted road that leads to the site from Stratford Road. Illustrative details provided show that the buildings would have an eaves height of 8 metres and a maximum ridge height of 9.5 metres (matching those previously constructed on the adjacent land to the northeast, which formed the remainder of the former quarry site).
- 3.3. The proposal is for an outline consent for access only, with all other matters reserved.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

20/01300/F - Erection of an internal boundary wall (part retrospective) between the stone cutting yard and the new industrial development. Permitted July 2020.

OCC Refs: MW.0105/17 & MW.0106/17 - County Council reserved matters approvals for up to 1,220sqm of B2 floorspace alongside the stone cutting yard on the former quarry site. Permitted 2017 and recently constructed.

CDC Ref: 16/00752/F - Erection of three new agricultural buildings beyond the B2 industrial buildings permitted by OCC. Permitted 2016.

OCC Ref: MW.0088/14 and CDC Ref: 14/01284/CM - Retention of existing structures and buildings as Class B2 of the Use Classes Order. Permitted September 2014.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with respect to this proposal.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site entrance, by advertisement in the local newspaper, 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 **30 June 2025**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. No comments have been raised by third parties.

7. RESPONSE TO CONSULTATION

- 7.1. 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.

- 7.2. SHENINGTON WITH ALKERTON PARISH COUNCIL: **Supports** the proposed development.
- 7.3. OCC HIGHWAYS: **No objection**. Proposed development would maintain a similar floorspace to the existing site and as such, it is not anticipated to result in any significant increase in traffic and would not have a severe impact on the operation of the local highway network. Existing access will be maintained and is acceptable. Visibility splays are acceptable, though could be compromised by overgrowing vegetation. Highway impacts are deemed acceptable.
- 7.4. OCC LEAD LOCAL FLOOD AUTHORITY: **No objection**. Following amendments to the submitted details, the LLFA Officer had no objections to the proposed development, subject to conditions being imposed relating to the submission of a Surface Water Drainage Scheme, and the submission of a record of the installed SUDS and Site Wide Drainage Scheme.
- 7.5. OCC ARCHAEOLOGY: **No comment**.
- 7.6. OCC FIRE & RESCUE: **No objection**. It is taken that these works will be subject to a Building Regulations application and subsequent statutory consultation with the Fire Service where applicable, to ensure compliance with the functional requirements of the Building Regulations 2010.
- 7.7. CDC ENVIRONMENTAL HEALTH: **No objection** subject to a condition that all plant, machinery and equipment to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to ensure that the rating noise level from the equipment shall be at least 5dBA below the pre-existing background noise level (dBLA90) when measured at the site boundary. Measurements and rating of noise for the purpose of this condition shall be in accordance with BS 4142:2014+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound (or subsequent updates). No comments with regard to air quality, land contamination, light or odour.
- 7.8. CDC BUILDING CONTROL: **No objection**. The proposal is subject to the Building Regulations and will require an application to be submitted to a Building Control body for approval.
- 7.9. CDC ECOLOGY: **No objection**. The proposed development is located entirely on existing hardstanding/bare ground, and as such, mandatory Biodiversity Net Gain (BNG) is not applicable at this stage. There are no other ecological concerns identified. All hedgerows and trees are to be retained and will not be impacted by the proposals. If this changes, further ecological assessment will be required, including consideration of potential impacts to wildlife and the application of BNG.

Compliance with Section 6: "Recommendations and Mitigation" of the submitted ecological report (Philip Irving, March 2025) should be secured by condition. A Biodiversity Enhancement Plan should be conditioned, including provision for bird, bat, and bee bricks, as well as native species planting. A detailed landscaping plan should also be secured by condition to support delivery of these enhancements.

- 7.10. THAMES VALLEY POLICE: **No objection**. There is a risk that due to its isolated rural location that crime may occur due to lack of surveillance from surrounding developments. Buildings must be constructed to provide adequate security and support deterrence for unauthorised entry. With the speculative nature of the proposal, it is not clear as to what exact security measures would be appropriate.

A detailed security and access strategy should be provided that demonstrates how building security will be managed. All parking spaces should be covered by CCTV to deter crime and assist in the detection and prosecution of offenders. Lighting throughout the development should meet the general standards of BS5489-1:2020 whilst the site is in use. Lighting should support effective CCTV monitoring and may be PIR motion activated to reduce light spill when no activity is present in the area.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. 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 2015)

- ESD15 - The Character of the Built and Historic Environment
- PSD1 – Presumption in Favour of Sustainable Development
- SLE1 – Employment Development
- ESD1 – Mitigating and Adapting to Climate Change
- ESD3 – Sustainable Construction
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems (SuDS)
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- Layout, design and external appearance of new development

DRAFT CHERWELL LOCAL PLAN 2042

- LEC 1 – Meeting Business and Employment Needs
- LEC 2 – Development at Existing Employment Sites
- LEC 3 – New Employment Development on Unallocated Sites
- LEC 8 – Rural Diversification

8.3. Other Material Planning Considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Design Guide (2018)
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

9. APPRAISAL

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

- Principle of development
- Design, and impact on the character of the area
- Ecology impact
- Flooding
- Residential amenity
- Transport and Highways Impacts

Principle of Development

9.2. The existing site is currently used as a stone processing operation and operates under approval for B2 and B8 industrial type uses. The existing occupant imports quarried stone, where the stone is cut and processed and it is typically used within the construction industry. The applicant advises that the current operator is coming towards the end of their lease, and it is not yet clear as to whether the current operator will continue to operate from the site.

9.3. The proposed development seeks to continue the typical industrial activities that currently occur within the site, with the applicant seeking consent for E(g)(iii) and B2 uses. Whilst there is no current consent over the site for E(g)(iii) uses, these are also industrial-type activities and are, by definition, low impact industrial activities that “*can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust and grit*”. The existing industrial activities currently generally take place predominantly in an open area, and the proposal to construct 8 individual industrial units would enable future industrial activities to take place within more enclosed spaces with more formalised vehicle movement and parking arrangements.

9.4. The site is adjacent to a similar industrial-type development that was approved by Oxfordshire County Council (Refs: MW.0105/17 and MW.0106/17) as a former minerals and waste site. This adjacent scheme approved industrial buildings up to a height of 9.7m (eaves height 6.8m). The maximum heights proposed as shown on the indicative plans for this application show that the overall form of the buildings would be consistent with this scheme on the adjoining site, which is currently under construction and nearing completion.

9.5. The details provided by the applicant show that the existing business operator has 9 FTE employees at the site. By providing 8 separate industrial units the proposal would provide new opportunities for businesses to find suitable space for their operations, increasing the functionality of the space and provide new job opportunities for the local community. Part A.14 identifies key challenges within Cherwell as “*new employment sites are needed to meet modern business needs*” and “*there is a need to make more efficient use of existing employment areas to retain and attract business*”. Further to this, it also states that “*there is a need to adapt to the changing rural economy and to provide more employment opportunities and potentially suitable employment sites in rural areas*”. The proposal to provide modern industrial spaces on an established industrial site seeks to address these challenges.

9.6. Whilst the site is not allocated within the Local Plan as an employment site, Policy SLE1 of the Local Plan identifies criteria requirements whereby new employment proposals within rural areas should be supported provided they satisfy the Policy SLE1 criteria. In taking into consideration these requirements, adequate justification has been provided to support the principle of the proposed development. In particular that

the site is already in use for B class uses and the proposal would not significantly intensify the use of the site.

- 9.7. The current Draft Local Plan 2042 has been submitted for examination and should accordingly be afforded some weight in the assessment of this application. Policy LEC 1 primarily deals with allocated sites but makes provision for employment development on unallocated sites and sites within rural areas through Policy LEC 3. This policy seeks to support, in principle, employment development on unallocated sites in open countryside, where it can be demonstrated that development meets local business and community needs, the development would not have an unacceptable impact on local roads and where it can be demonstrated that the proposal will benefit the local economy and will not undermine the delivery of strategic industrial locations.
- 9.8. In taking into consideration these matters on balance, whilst no specific needs based assessment has been carried out, there is the expectation that the current employment use may vacate the site at the end of their lease in August 2026, and as such the proposal would ensure that the site retains an employment use in perpetuity. Each of the units would be approximately 195sqm in size, providing a more compact and affordable option for future occupants, that may not be suited to the larger allocated employment sites within the district. The existing buildings are not practical to be repurposed, and as such, the redevelopment of the site provides the opportunity to provide spaces that are suited to more modern business activities and increase employment opportunities, that will provide jobs and economic activity for the local community. As detailed within the Transport and Highway Safety section below, OCC has reviewed the proposal and raised no concerns with respect to traffic impacts on local roads.
- 9.9. Overall, the principle of the development is acceptable, when considering both the current and emerging Development Plan policies taken as a whole.

Design, and impact on the character of the area

- 9.10. Policy ESD15 of the CLP 2015 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and high-quality design meeting high design standards and complementing any nearby heritage assets.
- 9.11. Saved Policies C28 and C30 of the CLP 1996 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.
- 9.12. Section 12 of the NPPF is clear that good design is a fundamental to what the planning and development process should achieve. Paragraph 130 of the NPPF states that planning decisions should ensure that developments:
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.*

- 9.13. This application is in outline only, with all matters reserved, excluding access. As is common with these types of applications, the applicant has submitted indicative plans to demonstrate how the proposed scheme could be accommodated and may come forward. The plans show eight (8) separate industrial units, laid out in two (2) rows, with four (4) separate industrial units per row. Between the two rows of industrial units, the indicative plans show an internal access road and associated car parking and landscaping.
- 9.14. The applicant has submitted with the application a Landscape and Visual Impact Assessment (LVIA), which considers that the proposed development could be integrated into the location without long term adverse impacts on the receiving landscape character and visual environment. The LVIA appropriately identifies key view points and identifies these locations, receptors and sensitivities of these viewpoints. Most of these viewpoints involve D'Arcy Dalton Way, which is a PRow that runs in an east-west direction to the south of the site.
- 9.15. In order to maintain appropriate buffers, the proposal would maintain landscaped boundaries and not result in the loss of any vegetation, with existing boundary planting to be enhanced overall within the site. Additional planting is also proposed along the approach view to the site from the south. This would further limit any intervisibility between viewpoints along D'Arcy Dalton Way and the proposed development.
- 9.16. Whilst the scale of the proposed development would be a reserved matter, the Planning Statement provided with the application advises that the proposed buildings would be dual pitched, with an eaves height of 8 metres and a maximum ridge height of 9.5 metres.
- 9.17. This is the basis upon which the LVIA has been based and would be no higher than existing buildings or the buildings that are currently under construction on adjacent sites (application refs: MW.0105/17 and MW.0106/17 (OCC) and 16/00752/F (CDC)). Any passing glimpses of the development would be seen in the context of the prevailing pattern of development on the adjacent sites and therefore would not be demonstrably harmful to the open landscape character of the surrounding area.
- 9.18. The LVIA also includes an assessment of the proposal against the Oxfordshire Wildlife and Landscape Study (OWLS) which characterises the landscape type of the application site as 'Farmland Plateau'. It has been justified that there would be no impact on the identified characteristics of this landscape type or its wider setting. The site is brownfield land that would be wholly contained within the identified boundaries of the existing industrial site. There would be no change to the topography of the site, with no significant earthworks proposed, the proposal would have a long-term negligible benefit to vegetation cover, as new planting establishes itself.
- 9.19. Whilst the proposal would constitute some degree of change to the site, the quantum of enclosed development (internal floorspace) would reduce slightly from 1,600sqm to 1,572sqm. Whilst the development would be higher than the existing buildings, in the context of the emerging pattern of development here, the proposal would be commensurate with the established and emerging built form. Landscaping would likely adequately screen the development from viewpoints around the site and subject to the approval of Reserved Matters, the form of development proposed would not cause demonstrable harm to the visual amenity and landscape character of the surrounding area.

Ecology Impact

Legislative context

- 9.20. The Conservation of Habitats and Species Regulations 2017 consolidated the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.21. Under the Regulations, competent authorities, i.e. any Minister, Government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.22. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.23. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative; and
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 9.24. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipelines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 9.25. Paragraph 180 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 9.26. Paragraph 186 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.27. Paragraph 191 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.28. Policy ESD10 of the Cherwell Local Plan 2015 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.29. Policy ESD11 is concerned with Conservation Target Areas (CTAs) and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 9.30. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.31. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.32. The applicant submitted a Preliminary Ecological Appraisal, which concluded that all hedgerows and trees on the boundaries of the site will be retained and that any planting that is to occur should use a high proportion of native or wildlife attracting ornamental species. No evidence was found of roosting bats in the buildings and that prior to any demolition of the site occurring, a check should occur to ensure that there are no nesting birds within the roofs of existing buildings. The appraisal also noted measures to protect any potential badgers, amphibians and reptiles.
- 9.33. The Council's Ecology Officer has reviewed the submitted Ecological Appraisal and notes that the site is within an area of existing hardstanding and bare ground. As such, there is no Biodiversity Net Gain (BNG) requirement. It was noted that all hedgerows and trees are to be retained. A condition has been recommended requiring compliance with the "Recommendations and Mitigation" section of the Ecological

Appraisal. A condition has also been requested requesting a Biodiversity Enhancement Plan and a Detailed Landscaping Plan.

- 9.34. Based on adherence to the recommendations in the submitted Preliminary Ecological Appraisal and the comments from Council's Ecology Officer, the proposal raises no concerns with respect to ecology or biodiversity.

Flooding

- 9.35. The site is within Flood Zone 1 and represents the lowest risk of flooding from rivers or sea. Whilst the proposal is at a low risk of fluvial flooding, as the application site exceeds 1 hectare in size, a Flood Risk Assessment was required to be submitted to address both fluvial and surface water flood risks, which has been reviewed by the Lead Local Flood Authority (LLFA), being Oxfordshire County Council.
- 9.36. The LLFA has advised that subject to conditions around Surface Water Drainage and the submission of installed SuDS records prior to occupation, the proposed development would not represent an unacceptable flood risk. In the matter of flooding, the proposed development is accordingly deemed acceptable.

Residential Amenity

- 9.37. Given the proposed development is in a predominantly rural location, there are no sensitive residential receptors in the near vicinity of the site. It is noted that Hornton Grounds Farm, to the southeast of the application site, hosts some tourist accommodation. However, given the distance of Hornton Grounds Farm from the application site and the fact that the industrial activities proposed would occur within enclosed spaces, unlike the existing situation, it is not anticipated that the proposed development would result in unacceptable harm to the living conditions of any surrounding residential receptors.
- 9.38. The Council's Environmental Health Officer has reviewed the proposal and has recommended a condition requiring plant, equipment and machinery adhere to national guidelines around noise. There was no objection from the Officer on air quality, contamination, light or odour.

Transport and Highways Impacts

- 9.39. Paragraph 116 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. The outline consent being proposed is for access only. In line with comments provided by Oxfordshire County Council, the amount of vehicle movements would be commensurate with the existing use that it would replace, with no material intensification.
- 9.40. The site would be accessed by the existing junction of the private road with the A422 Stratford Road, which has a visibility splay of 150m to the north and 160m to the south. This is the existing arrangement, and OCC note that there have been no recorded collisions at this junction in the last 5 years. This suggests that the existing junction operates safely, which the proposed development would not alter. As such, the access arrangements to the site are deemed by both OCC and CDC Officers to be acceptable.
- 9.41. The proposed development would provide adequate car parking capacity that meets OCC Parking Standards, and the development would also provide cycle parking provision, to encourage a modal shift to more sustainable forms of transportation. The

proposal would also provide blue badge parking spaces, located close to the entrances to the industrial units, ensuring that the development would provide accessibility for all.

- 9.42. As such the access arrangements to the site are considered to comply with the development plan as a whole and the proposal raises no specific highway safety or transport concerns.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. In taking into consideration the proposed development as a whole, the principle of development is wholly acceptable, as it is a form of development that is consistent with the existing and emerging pattern of development within the area, would continue typical industrial activities on the land and would support the rural economy by providing modern spaces for new business to grow. Whilst the plans are highly indicative at this stage, the proposal would not result in demonstrable harm to the landscape character and visual amenity of the area, subject to further details being submitted at Reserved Matters stage. The proposed development raises no concerns with respect to ecology and flooding, subject to conditions provided within the recommendation below.
- 10.2. The matter of access to the site has been considered and no concerns have been raised. The junction of the private road with Stratford Road is considered to have adequate visibility splays and the Transport Assessment submitted shows that vehicle movements to and from the site would be consistent with that of the existing operator. There will therefore be no material increase in traffic flows. The proposal also provides adequate cycle and car parking provision.
- 10.3. Overall, therefore, the application proposal is deemed sustainable development and is therefore recommended for approval, subject to conditions.

11. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

CONDITIONS

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Reserved Matters

2. Details of the layout, scale, appearance, access and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Compliance with Plans

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans:

0318_00_000 rev 02 (Site Location Plan);
0318_00_000 rev 01 (Existing Site Plan);
0318_00_100 rev 02 (Proposed Site Plan);
0318_00_101 rev 02 (Proposed Site Plan – Detailed);
Phase 1 Land Contamination Assessment (Brown Fisher Environmental, 8 May 2025);
Preliminary Ecological Appraisal (Philip Irving, March 2025);
Landscape and Visual Impact Assessment (Ecology Solutions, May 2025);
Transport Appraisal (Rev A, DTA Transport Planning Consultants);
Flood Risk Assessment (Harban Redwood Consulting Engineers).

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Restriction of Use Class

4. The premises shall be used for Class E(g)(iii) and B2 uses and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the visual amenities of the area and protect the amenities of nearby residents in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and C31 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Secured by Design

5. No development shall commence above slab level unless and until details of how the developer will incorporate Secured by Design principles and/or standards into the development has been submitted to and approved in writing by the Local Planning Authority. The details should include the following:

- Evidence that an application has been made for Secured by Design accreditation
- A detailed Security and Access Strategy that demonstrates how the

building will be managed

- Confirmation that all car parking areas will be covered by CCTV
- Lighting throughout the development will meet the general standards of BS5489-1:2020 whilst the site is in use, be motion activated and reduce light spill when no activity is present in the area.

The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: In order to ensure the safety and security of any future occupants of the site and to comply with Government guidance contained within the National Planning Policy Framework and the Crime and Disorder Act 1998.

Schedule of Materials

6. No development shall commence above slab level until a schedule of materials and finishes to be used in the external walls and roofs of the buildings has been submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Noise

7. All plant, machinery and equipment to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to ensure that the rating noise level from the equipment shall be at least 5dBA below the pre-existing background noise level (dBLA90) when measured at the site boundary. Measurements and rating of noise for the purpose of this condition shall be in accordance with BS 4142:2014:+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound (or subsequent updates).

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Sustainability

8. The development hereby permitted shall be constructed to at least a BREEAM 'Very Good' standard.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with government guidance contained within the National Planning Policy Framework.

Landscaping

9. No development shall commence above slab level until a scheme for landscaping the site has been submitted to and approved in writing by the Local planning authority. The scheme shall include:

- details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch, etc.),
- details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

The development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements shall be carried out prior to the first occupation or use of the development and shall be retained as such thereafter.

All planting, seeding or turfing included in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) [or on the completion of the development, whichever is the sooner,] and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of visual amenity of the area and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

10. The existing hedges along the boundaries of the site shall be retained for the lifetime of the development and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species.

Reason: To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Biodiversity

11. No development shall commence above slab level until a method statement for enhancing the biodiversity of the site, including provision for bird, bat, and bee bricks, as well as native species planting, has been submitted to and approved in writing by the local planning authority. The biodiversity enhancement measures approved shall be carried out prior to occupation and shall thereafter be retained in full accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan

2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

Drainage and Flooding

12. Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100-year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable);
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details;
- Consent for any connections into third party drainage systems.

Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Local and National Standards.

13. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans in both .pdf and .shp file format;
- b) Photographs to document each key stage of the drainage system when installed on site;
- c) Photographs to document the completed installation of the drainage structures on site;
- d) The name and contact details of any appointed management company information.

Reason: To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Local and National Standards.

INFORMATIVES

1. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of

the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

2. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

CASE OFFICER: Joel Turner