

**Case Officer:** Daisy Kay-Taylor

**Applicant:** Cherwell District Council

**Proposal:** Installation of two external heat pump condensers in rear yard and ventilation grilles to front and side elevations

**Ward:** Banbury Hardwick

**Councillors:** Councillor Brasha, Councillor Crichton, and Councillor Dr Thornhill

**Reason for Referral:** Application affects Council's own land and the Council is the applicant

**Expiry Date:** 10 December 2025

**Committee Date:** 04 December 2025

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**SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

**MAIN REPORT**

**1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is located in the Hanwell Fields expansion, approximately 2km north of Banbury town centre. The Hanwell Fields Community Centre lies north-west of the Rotary Way roundabout, adjacent to The Hanwell Arms public house and the car parking serving a number of local shops immediately northwest of the site. Hanwell Fields Community School lies to the south across the road/roundabout. There is a courtyard with an outbuilding to the southwest, and a smaller rear courtyard to the northeast backing on to the rear service yard of the public house and an electrical substation. The land rises to the north and there are views of all elevations from the public realm.
- 1.2. The application follows application 25/01191/F at the same site for increased capacity of the community centre.

**2. CONSTRAINTS**

- 2.1. There are no site constraints relevant to this application.

**3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The applicant seeks planning permission for the installation of two external heat pump condenser units in the rear courtyard, and the insertion of two high level ventilation grilles to the front (northwest) elevation and six high level and three ground floor level ventilation grilles/mechanical plant and air intake louvres to the side (northeast) elevation.
- 3.2. Hours of operation would be the same as those of the community centre: 09:00 – 22:00, seven (7) days per week.

#### 4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:
- 4.2. **95/01117/OUT** Residential development, new link road, landscaping, ancillary development and new primary school site, (as amended by additional masterplan received 15/05/96 and link road plans received 27/03/97). **Permitted** 31 May 2000
- 4.3. **05/00809/REM** Reserved Matters to Outline 95/01117/OUT: Mixed Use Local Centre comprising of up to 7 No. A1, A2 and A5 units, public house, community centre, 39 No. 1 and 2 bed flats, land identified for possible future doctors' surgery, landscaping and parking. Including temporary construction access (as amended by plans received 30/06/05, 01.08.05, 24.10.05 and 11.11.05). **Permitted** 05 August 2005
- 4.4. **08/02146/F** Replacement of first floor level windows to include opening panels. **Permitted** 26 November 2008
- 4.5. **08/02408/F** Alteration to existing entrance canopy. **Permitted** 23 January 2009
- 4.6. **15/00015/CLUE** Certificate of Lawful Use Existing for a photovoltaic array installation on south-west facing roof. **Certificate granted** 26 November 2024
- 4.7. **25/01191/CDC** Insertion of 3 new windows, enlargement of fire escape door opening and insertion of glazed door with sidelights, addition of rear escape gate in courtyard and rear escape steps with handrails and associated internal changes to increase capacity. **Permitted** 02 August 2025

#### 5. PRE-APPLICATION DISCUSSIONS

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

#### 6. RESPONSE TO PUBLICITY

- 6.1. 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 is 09 December 2025.
- 6.2. To date, 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. BANBURY TOWN COUNCIL: **no objections**
- 7.3. CDC BUILDING CONTROL: **no objections**, commenting that the proposal is subject to the Building Regulations
- 7.4. CDC ENVIRONMENTAL HEALTH: **no objections**

#### 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)

- ESD1 – Mitigating and Adapting to Climate Change
- ESD5 – Renewable Energy
- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

**9. APPRAISAL**

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

- Design, and impact on the character of the area
- Residential amenity

9.2. Given the nature and siting of the proposed scheme, the proposed scheme would have no impact on ecology.

*Design, and impact on the character of the area*

9.3. The proposed heat pump condenser units would be located at ground level in the rear side courtyard of the building they would serve. The courtyard is enclosed by brick walls to the north, against which the units would be located, backing on to the rear service yard of the public house, and east, facing the electric substation, and by tall railings above a brick base to the south facing the roundabout. The proposed units would be largely screened from public views due to their siting, the walls, and the level difference to the highway. The proposed units are of a modest scale and of a type and nature that is to be expected at a community centre. The design of the proposed ventilation grilles is in keeping with existing building. The grilles would be most noticeable on the northeast elevation, where they would help break up the largely blank elevation.

9.4. Overall, the proposed scheme is not considered to result in detriment to the visual amenities in the locality or have a harmful impact on the character or appearance of the area and therefore accords with the policies set out above.

*Residential amenity*

- 9.5. The nearest residential properties lie approximately 25m to the east along and across the highway and 50m+ to the north across the carpark. There would necessarily be some noise associated with the proposed condenser and ventilation units; however, given the distances and the mitigation offered by the partial screening by the electrical substation, the proposal is unlikely to result in harmful levels of noise. Further, the applicant has submitted a noise impact assessment report which concluded a 'low impact' of the proposed units, and the Council's Environmental Health Officer has also raised no concerns or objections. The proposed condenser units are small in scale and would be positioned at ground level. As such they would not have any adverse effects on neighbouring properties in terms of light, outlook, or privacy.
- 9.6. For these reasons the proposed scheme is not considered to result in harm to the residential amenities of the locality.

#### *Conclusion*

- 9.7. The proposed scheme would improve the sustainability of the building, reducing its environmental impact. The proposed development would be an acceptable addition to the existing building, would not be to the detriment of the established character and appearance of the area, and would not adversely affect residential amenities in the locality.

### **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

### **11. RECOMMENDATION**

**TO GRANT PERMISSION, UPON EXPIRY OF THE PUBLICITY PERIOD AS STATED ON THE SITE NOTICE, SUBJECT TO THE CONDITIONS SET OUT BELOW:**

#### **Time Limit**

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.

#### **Compliance with Plans**

2. 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 and documents: the drawings numbered 06425-111 (Site Location Plan at a scale of 1:1250), 06425-112 (Block Plan), 06425-115, and 06425-116, and the submitted planning statement.

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.

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