

<b>Application No:</b> <b>10/00704/F</b>	<b>Ward:</b> <b>Caversfield</b>	<b>Date Valid:</b> <b>07.05.2010</b>
<b>Applicant:</b>	Moto Hospitality	
<b>Site Address:</b>	Cherwell Valley Services, Junction 10 M40, Ardley	

### **Proposal:**

#### **1. Site Description and Proposal**

- 1.1 This application relates to the existing Motorway Services Area (MSA) site on the eastern side of the M40/A43 junction (Junction 10). As Members will be aware the main facility building suffered a major fire a few weeks ago, and this has resulted in the demolition of that building.
- 1.2 For the past few weeks the site has operated with a marquee-type structure, mobile food vans and portable toilet buildings. This application proposes a more substantial interim replacement building, pending the approval and construction of a permanent replacement. The latter application is expected to be received in late June, with a hopeful start on site in Autumn 2010 and full re-opening in Spring 2011. The application the subject of this report is for a building which will then be removed.
- 1.3 The proposal is to erect a large De-Boer solid walled temporary structure measuring 40m x 50m x 8.5 metres high. The walls are formed by insulated metal panels and aluminum framed glazing with a PVC multiple peaked roofing system. The building will provide a central shared eating area surrounded by various retail and food outlets, and customer toilets and showers to re-provide the previous facilities.
- 1.4 The proposal is to site the building within the existing car park area to the south of the demolished building, and to connect to existing services. A small complex of porta cabins are proposed to the east of the De Boer building to provide storage, preparation and washing facilities for the main food operations. Four other small temporary buildings are proposed south of the main building to provide offices and stores for the other operations contained in that main building.
- 1.5 The proposal will not result in the loss or removal of any of the existing landscaping areas. It will result in 130 car parking spaces and 10 coach spaces not being available, but will leave 351 car and 10 coach spaces for use. The 154 HGV parking spaces are unaffected by these proposals.

#### **2. Application Publicity**

- 2.1 The application has been advertised by site notices and press notice. The expiry of the date for comments is 18 June 2010. To date no third part representations have been received.

### **3. Consultations**

- 3.1 No comments received from either Ardley with Fewcott or Stoke Lyne Parish Councils.
- 3.2 The Environment Agency raise no objections. They comment that the proposed building is outside of Flood Zones 2 and 3 on an existing area of hard-standing. The surface water generated on the roof of the new building will drain to the detention ponds on the site in the same way that surface water generated on the existing hard surface does. As there will be no significant change to the surface water drainage characteristics on the site as a result of this development they see no reason to ask for a more detailed assessment of flood risk.
- 3.3 Comments of the Highways Agency and Oxfordshire County Council as local highway authority are awaited.

### **4. Relevant Planning Policies**

- 4.1 National Planning Guidance  
PPS1 – Delivery Sustainable Development  
PPS25 – Development and Flood Risk
- 4.2 South East Plan 2009  
There are no directly relevant policies
- 4.3 Adopted Local Plan Policies

Policy TR8 –  
Commercial facilities for the motorist. “Beyond the built up limits of settlements the release of new sites for petrol filling stations and other commercial facilities for the moment will be permitted only where the need for such facilities can be clearly demonstrated”

Policy C7, C8 and C9 –  
Landscape Conservation

### **5. Appraisal**

- 5.1 As noted in Section 1 this proposal seeks to provide an interim form of facility provision for the travelling motorist on the M40 and A43 trunk road. The site was first agreed after a public inquiry and has been in operation for 18-20 years.
- 5.2 Following the recent devastating fire the entire facilities building has been lost. An application for the replacement building will be submitted shortly, but in the interim time until that is completed the operators require a level of facility to match this previously well used site.

5.3 The proposed building will be sited within this well landscaped site, and will barely be visible from off-site. It will be modern in appearance and relatively substantial. The small ancillary buildings will be well screened from the general public (albeit visible from the small coach park)

5.4 Overall this is considered to be an acceptable interim measure. The proposed conditions ensure that the building will be removed as soon as possible after the construction/completion of the permanent building.

## **6. Recommendation**

### **Approval subject to**

1. That at the expiration of 12 months from the date of this permission, or within 6 weeks of the completion of the permanent replacement MSA building, whichever is the sooner, the building hereby approved shall be removed from the site and the land returned to its former condition on or before that date (RC42)
2. That with the exception of the buildings hereby approved, and the provision of a building compound for the construction of the permanent replacement MSA building, the existing car parking and coach parking areas shall be kept free of obstructions at all times and only used for parking purposes (RC16A)
3. RC4.21A Surface water drainage arrangements

### **SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES**

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as it will not cause undue harm to the character and amenity of the countryside. As such the proposal is in accordance with Policies TR8, C7, C8 and C9 of the adopted Cherwell Local Plan.

For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

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