

**Kelberg Ltd
Northampton Road
Weston On The Green
Bicester
OX25 3TH**

18/01157/F

Applicant: Kelberg Trailers And Trucks Ltd

Proposal: Erection of detached steel portal framed workshop

Ward: Launton And Otmoor

Councillors: Cllr Tim Hallchurch
Cllr Simon Holland
Cllr David Hughes

Reason for Referral: Major Application (floor space created)

Expiry Date: 28 September 2018 **Committee Date:** 23 August 2018

Recommendation: Approve

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

The application is reported to the Planning Committee as it is a major application.

Proposal

Consent is sought for the erection of a detached workshop building immediately to the west of an existing large workshop at the site at Kelberg Ltd Northampton Road Weston on the Green.

Consultations

- The Parish Council has raised concerns but not objected to the application
- The Local Highway Authority has raised no objections to the application
- No objections have been raised by CDC Environmental Protection
- Other non-statutory consultees have not responded to date

Planning Policy

The application site is an existing employment generating site outside the built up limits of the settlement. The site is in close proximity to RAF Weston on the Green. No listed buildings are within close proximity to the site and the site is not within a conservation area. The area has been identified as being potentially contaminated and the Weston Fen SSSI is located within 2KM of the site.

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion

The key issues arising from the application are:

- Principle of the Development;
- Visual Amenity;
- Effect on Residential Amenity;
- Highways Safety;
- Impact on RAF Weston on the Green

The report looks into the key planning issues in detail and officers conclude that the proposals are acceptable, subject to conditions. The scheme meets the requirements of relevant CDC policies.

RECOMMENDATION – GRANT PERMISSION SUBJECT TO CONDITIONS.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. Kelberg Trailers and Trucks Ltd is a relatively large commercial site located on the western side of Northampton Road (B430). Kelberg Ltd has occupied the application site for a considerable amount of time (over 20 years), over which their operations have been extended and evolved. Their current operations consist predominantly of assembling, repairing and servicing trailers. They also fit bodywork to smaller trucks and service their own vehicles. It is noted with the Design and Access Statement submitted by the applicant's agent that Kelberg currently employs 27 people.
- 1.2. The site consists of a two storey office building and attached workshop, which has been recently extended (ref: 17/01223/F). The remainder of the site is covered in hard standing surfaces and used for the storage of trucks, trailers and associated equipment. A high and dense row of trees is located around the perimeter. The site has two access points and a parking area is provided on the frontage.
- 1.3. The surrounding area consists of a collection of commercial units located in the open countryside. There are also a limited number of residential properties and numerous caravans and a gliding club are located on opposite side of Northampton Road. Weston Business Park is located to the south of the site.
- 1.4. No listed buildings are within close proximity to the site and the site is not within a conservation area. The area has been identified as being potentially contaminated and the Weston Fen SSSI is located within 2KM of the site. For all development, it is also necessary to consult the MoD due to the proximity of the site to RAF Weston-on-the Green.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Consent is sought for the erection of a detached workshop building to the west of the existing buildings on the site. The area is currently laid to hardstanding and used for the parking of vehicles and storage.
- 2.2. The building is to measure approximately 45.5m long, 23.5m wide and approximately 10.2m to the ridge. It is to be constructed from a steel frame with dark

grey profiled metal sheeting to the external walls and a lighter grey profiled sheeting for the roof.

3. RELEVANT PLANNING HISTORY

3.1. There is a lengthy planning history for this site however the following planning history is considered relevant to the current proposal:

- 06/01321/F - Extension to industrial building – This was REFUSED on 25th August 2006 for the reasons below:
 1. *“Notwithstanding the proposal being an extension to an existing building within an existing employment site, the Local Planning Authority considers the proposal to be contrary to Policy EMP4 of the adopted Cherwell Local Plan and the provisions of Policy EMP4 of the Non-Statutory Cherwell Local Plan and Policy E4 of the Oxfordshire Structure Plan in that the scale of the development is inappropriate on this rural setting and would cause harm to the character and visual amenities of the area contrary to Policy C28 of the adopted Cherwell Local Plan.*
 2. *The extension proposed would significantly reduce the area of outside storage of vehicles and trailers which may lead to further demand to extend the commercial activity further into the open countryside, contrary to Policies EMP4, C8 and C28 of the adopted Cherwell Local Plan.”*
- 14/02019/F - Extension to existing Workshop Including Enclosure of Vehicle Wash Bay - APPROVED on 20th March 2015. The extension maintained the existing building lines and measured 24.5m wide, by 19m deep, with an eaves height of 7.4m and a ridge height of 10.2m. The extension provided three additional bays, incorporating two workshop bays and an enclosed wash bay. This was implemented by the time of the case officer's site visit on 3rd June 2016. In the officer report it was stated that: *“The proposal provides economic development within a rural area and constitutes a relatively minor extension to an existing acceptable employment site. The principle of the proposed extension, subject to complying with other material planning considerations, is therefore considered acceptable in isolation and in compliance with the provisions of Policy EMP4 of the adopted Cherwell Local Plan and the Framework.”* Policy EMP4 has now been replaced by Policy SLE1 of the Cherwell Local Plan Part 1.
- 16/00830/F - Extension to industrial building – APPROVED on 4th July 2016. Planning permission was granted for the construction of an extension to the north of the building to be used for construction and assembly as well as for the storage of the parts needed.
- 17/01223/F - Extension to building (retrospective) – APPROVED on 20th July 2017. This extension was to the development approved under application 16/00830/F.

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, 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 is 14.08.2018, although comments received after this date will be taken into account.

5.2. No comments have been raised by third parties

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. WESTON ON THE GREEN PARISH COUNCIL: **Comments** that they encourage local employment but highlight that there is no longer a bus service to the site and additional employment will bring further car traffic. They are concerned about the effect of a further large extension on the rural nature of the area and there may soon be pressure on development outside the current site and into the open countryside.

They would like the operating restrictions of 17/01223/F to be re-confirmed to the applicant due to the effect on local residents of work undertaken outside of these hours.

STATUTORY CONSULTEES

6.3. HIGHWAY AUTHORITY: **No objection**. The proposal will not have a significant detrimental impact on the adjacent highway network

NON-STATUTORY CONSULTEES

6.4 ENVIRONMENTAL PROTECTION: **No objections** regarding noise, contaminated land, air quality, odour and light pollution.

6.5 PLANNING POLICY: **No comment to date**

6.6 OCC MAJOR DEVELOPMENT: **No objections**

6.6 MINISTRY OF DEFENCE (SAFEGUARDING): **No comment 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
- ESD1: Mitigation and Adapting to Climate Change
- ESD7: Sustainable Drainage Systems (SuDS)
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13: Local Landscape Protection and Enhancement
- 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
- ENV1: Environmental pollution

7.3. Other Material Planning Considerations

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

8. APPRAISAL

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

- Principle of the Development;
- Visual Amenity;
- Effect on Residential Amenity;
- Highways Safety;
- Other Matters.

Principle of the Development

8.2. Paragraph 14 of the National Planning Policy Framework (NPPF) states that a presumption of sustainable development should be seen as a golden thread running through decision taking. There are three dimensions to sustainable development, as defined in the NPPF, which require the planning system to perform economic, social and environmental roles. These roles should be sought jointly and simultaneously through the planning system.

8.3. In regards to the rural context of this site, Paragraph 28 of the Framework states that: *“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:-*

- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings”*

8.4 SLE1 states that: *“Employment development will be focused on existing employment sites. On existing operational or vacant employment sites at Banbury, Bicester, Kidlington and in the rural areas employment development, including intensification, will be permitted subject to compliance with other policies in the Plan and other material considerations.”* The supporting text to Policy SLE 1 states that: *“The Council will support existing businesses and will seek to ensure their operational activity is not compromised wherever possible.”*

- 8.5 The proposed development is a large detached workshop building but is within an existing employment site. The development provides economic development within a rural area and therefore the building could be acceptable in principle, in compliance with the thrust of Policy SLE1, but this is provided that the building and any associated employment activities are carried on without undue detriment to the character and appearance of the locality, residential amenity or highway safety, which is discussed further below.

Visual Amenity

- 8.6 Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 8.7 Policy ESD15 of the Cherwell Local Plan Part 1 states that: *“New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards.”*
- 8.8 Policy ESD13 of the Cherwell Local Plan Part 1 notes that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to the local landscape character cannot be avoided.
- 8.9 Saved Policy C28 of the Cherwell Local Plan 1996 reflects Government guidance in relation to the design of new development by seeking to ensure that such development is in harmony with the general character of its surroundings and is sympathetic to the environmental context of the site and its surroundings.
- 8.10 The proposed building is significant in size and this cumulatively with the extensions approved under 14/02019/F, 16/00830/F and 17/01223/F results in a large expansion of the built form and operations on this site since 2014. However, given its location within the existing compound and to the rear of the existing buildings on the site it is considered the building would not be readily visible in public views. Whilst the building may be glimpsed from the highway to the east of the site it would be well screened further to the north and south of this highway by mature vegetation. In addition to this, there is mature evergreen planting along the western, northern and southern borders of the site which would help to screen it in public views and help to contain the site. The proposed materials are to match the existing workshop buildings on the site.
- 8.11 Therefore, it is considered that the development would not cause detrimental harm to the character and appearance of the area, and is therefore in accordance with Policies ESD13 and ESD15 of the Cherwell Local Plan Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the NPPF.

Effect on Residential Amenity

- 8.12 Both the NPPF and Policy ESD15 of the Local Plan seek to ensure development proposals provide a good standard of amenity for both existing and proposed occupants of land and buildings relating to privacy, outlook, natural light and indoor and outdoor space.

- 8.13 Whilst the surrounding area consists predominantly of commercial uses, the site is adjoined on either side by residential properties and a caravan site is located on the opposite side of the Northampton Road. The dwelling to the north of the site is in the same ownership as the business.
- 8.14 The building is sited and of a scale so as to prevent undue harm to any residential properties in terms of loss of light or the creation of an overbearing affect.
- 8.15 The development would result in intensification of the existing use and an increase in the level of activity. However, the site is located in a mix use area on a classified road where background noise levels are relatively high and a degree of disturbance is common place during normal working hours. The increase in on-site activity as a result of the development is unlikely to result in a harmful increase in noise levels or disturbance during normal working hours to the surrounding occupiers/users.
- 8.16 The hours of operation have been restricted in previous applications for redevelopment, including the extension to the workshop in 2017. It is considered that this restriction is still applicable and necessary to protect the surrounding occupiers from disturbance later in the evening and early in the morning when background noise levels are low and residents can reasonably expect a quieter environment. Whilst these restrictions associated with the original permission are still applicable, it is recommended they are re-attached to any new planning permission which may be granted for the avoidance of doubt. A condition has also been attached stating that the doors of the building shall be closed when assembly operations inside the building are being carried out in order to minimise noise and disturbance to the surrounding occupiers/users.

Highway Safety

- 8.17 It is considered that the proposed building would result in any adverse impacts upon the surrounding highway network from a traffic and safety point of view. The Local Highway Authority has advised that it has no objections to the proposal.

Other Matters

- 8.18 The site is in an air safeguarding zone due to its proximity to RAF Weston-on-the-Green. It is considered that this development is unlikely to interfere with the operations of this site however as the building is to be set at a lower height to the adjacent workshop building. The MOD has no objections to the application.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. For the reasons set out in this report it is considered that the development is acceptable in principle, being employment generating development at an existing employment site, and would not result in any significant detriment to the character or visual amenities of the area nor on the living amenities of the neighbouring properties. In addition it is considered that the development would not result in any significant detriment to highway safety.
- 9.2. As such the proposal complies with the relevant Development Plan policies and guidance listed at section 7 of this report, and so is considered to be sustainable development. In accordance with Paragraph 14 of the NPPF, permission should therefore be granted.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. Time Limit
2. Compliance with the approved plans
3. Materials to match the existing adjacent building
4. Restriction on hours of operation
5. Requirement to close doors of workshop during operations

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