

Case Officer: Jeanette Davey

Applicant: Tom Hartley Jnr. Ltd.

Proposal: Erection of building to be used for storage of vehicles, with associated works

Ward: Deddington

Councillors: Cllr McHugh, Cllr Reeves, Cllr Williams

Reason for Referral: Major Application

Expiry Date: 30 November 2022

Committee Date: 10 August 2023

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located on Sibford Gower Road, near its junction with Tadmarton Heath Road, approximately 1km north of Hook Norton. It forms about one-quarter of a larger site all of which, combined, was formerly an established car showroom, garage and petrol filling station known as The Firs Garage. Access to the former petrol forecourt was from Tadmarton Heath Road. Those buildings have now been demolished, rendering the site of brownfield status.
- 1.2. Planning permission was granted in July 2021 for a replacement car sales showroom under PA ref 21/00955/F, but construction work has not yet commenced on site. As a result of the demolition works, a material commencement has been made on that permission and it could be implemented on the other three-quarters of the site. The remaining quarter, subject of this current application, was proposed to be used for a small amount of parking, a private courtyard and a previously approved, unimplemented car storage building which had had permission for a different applicant (PA ref 19/01819/F).
- 1.3. There are no residential properties in the immediate vicinity of this quarter of the site. No buildings or land on the site or in the immediate surroundings are designated heritage assets. Ramthorne Concrete adjoins the eastern site boundary.

2. CONSTRAINTS

- 2.1. The application site is in a countryside location.
- 2.2. It is relatively level, with a slight drop along the western side of the site.
- 2.3. There is a public right of way located in the field on the opposite side on the road, to the west of the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The proposal is for an alternative storage building to that approved under PA ref 19/01819/F. It is in the same location and, as such, both could not be built, and thus it would not be necessary to revoke the past permission.
- 3.2. The building would provide secure storage for an indicative 75 cars, on two floors, with the upper floor accessed by an internal scissor lift. A small office is proposed on the ground floor.
- 3.3. The approximate building dimensions of the proposal vs the previously approved schemes are as follows, with length being as viewed from the Sibford Gower Road / west elevation:

		Eaves Height (m)	Ridge Height (m)	Width (m)	Length (m)
22/02668/F	Current application	6.4	8.8	23	42
19/01819/F	Previously approved storage	3.8	5.4	12	48
21/00955/F	Not yet implemented car showroom	3.2	9.5-8.5	70	63-113

- 3.4. The applicant's agent states that the 2019 approved storage building was proposed by a previous owner to suit their requirements. The current proposal is stated as better suiting the needs of the applicant's business and matches the broader site development.
- 3.5. Proposed materials comprise wall cladding in timber with a stone plinth below and a dual pitched roof finished in a standing seam metal system, to match the approved showroom buildings. The submitted plans show that the 42-metre-long roof elevation to Sibford Gower Road would have PV solar panels along 39 metres of it, in a fixed flat roof system, on the west elevation. The proposed building is described as being *to match the showroom and workshop buildings in a utilitarian, agricultural style, but to be reflective of its use as a premium business premises* (Planning Statement para 4.6).
- 3.6. A service yard is proposed on the north side for parking and refuse storage, with access to the barn using a widened access point directly from Sibford Gower Road and from previously approved accesses within the site. No details of the refuse storage area have been provided. A ram gate is proposed inside the access point, to restrict access. Vehicular inter-connectivity would exist throughout, from this quarter to the remaining three-quarters of the site.
- 3.7. An Illustrative Landscape Strategy plan ref 22-0470 v4 dated 20.07.2022 shows that planting is proposed within and on the outside boundary of the site edged red, to include:
 - North side: Retention of an undefined existing hedge;
 - East side: Hard landscaping for parking and access, with some undefined planting against the eastern side of the service yard parking spaces;

- South side: 1.5m high natural stone retaining wall (to flatten out the rise in site levels, with the proposed building being at the lower level) and a 1.8m high hedge of prunus lusitanica: Portuguese laurel;
- West side: Retention of existing ash trees; a proposed native species tree clump and standard trees; undefined planting areas to soften service yard; retention of 4.5m high native species and conifer hedge;

3.8 Company logos are shown on the North, East and South elevations of the building but these do not form part of the current application: they would need to be applied for separately, as appropriate, under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007. As such, they are not considered as part of this submission.

3.9 The agent suggests that this proposal is to prevent an off-site storage solution being necessary in an alternative location, which would add excess cost to the business and would not be sustainable. The current proposal would result in neither gain nor loss in the number of employees proposed for the new business.

4. RELEVANT PLANNING HISTORY

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

CHN.389/87 – Extension to vehicle repair garage – APPROVED

CHN.9/91 – Construction of a building for storage and preparation of new and second-hand vehicles – APPROVED

19/01819/F – Erection of a new storage building for vehicles and parts – APPROVED 29.11.2019

21/00955/F - Demolition of existing car sales showroom, petrol filling station and servicing/repair garage and erection of new showroom for car sales including preparation and storage and administration areas with landscaping, access and associated works – APPROVED 16.07.2021

23/00911/F - Variation of Conditions 3 (schedule of materials and finishes), 5 (BREEAM assessment) and 8 (surface water drainage works) of 22/02328/F - Condition 5: To insert alternative BREEAM assessment under which the development is to be undertaken; Conditions 3 and 8: To provide details for matters reserved by planning conditions related to materials/finishes and drainage – NOT YET DETERMINED

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, by advertisement in the local newspaper, and by letters sent to properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **19 October 2022**, 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.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. HOOK NORTON PARISH COUNCIL: No objection

OTHER CONSULTEES

7.3. OCC HIGHWAYS: **No objection**, subject to one condition and a S278 agreement. The access modifications are modest and can be implemented using a S278 agreement. The storage area is larger than that previously agreed, but the site as a whole will produce significantly less trips than the previous use as a petrol filling station.

7.4. OCC DRAINAGE: **No Objection**, subject to conditions.

7.5. ENVIRONMENTAL PROTECTION: **No comments** re: Noise, Contaminated Land, Air Quality, Odour, Light.

7.6. ARBORICULTURE: **No objection**. Happy with the Illustrative Landscape Strategy.

7.7. OCC ARCHAEOLOGY: **No objection**.

7.8. THAMES WATER: **No objection** with regard to water network and water treatment infrastructure capacity.

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 ('CLP 2015') was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 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)

- PSD1: Presumption in Favour of Sustainable Development
- SLE 1: Employment Development (site not allocated).
- SLE 4: Improved Transport and Connections
- ESD 1: Mitigating and Adapting to Climate Change
- ESD 3: Sustainable Construction
- ESD 7: Sustainable Drainage Systems
- ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD 13: Local Landscape Protection and Enhancement
- ESD 15: 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. Under Section 38 of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan that has been approved at referendum also forms part of the statutory development plan for the area. In this case, the application site falls within the Hook Norton Neighbourhood Plan (HNNP) and the following Policies of the Neighbourhood Plan are considered relevant:

- HN – CC 1: Protection and Enhancement of Local Landscape and Character of Hook Norton
- HN – CC 2: Design
- HN – CC 4: Resource Efficient Design
- HN – COM 4: Retention of Local Employment
- HN – T 1: Access and Parking

8.4. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell District Landscape Character Assessment (CDLCA) Nov 1995
- Cherwell District Countryside Design Summary (CDS) 1998
- Oxfordshire Wildlife and Landscape Study (OWLS) 2004
- Oxfordshire Energy Strategy 2019
- Climate Action Framework CDC 2020
- Embodied Carbon: Developing a Client Brief - UK Green Building Council March 2017
- Local Transport and Connectivity Plan (LTCP) Oxfordshire County Council July 2022

9. APPRAISAL

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

- Principle of Development
- Design, Landscaping and Impact on the Character of the Area
- Sustainability criteria
- Economic Impact
- Highway Impact

Principle of Development

9.2. Paragraph 8 of the NPPF seeks to achieve sustainable development through three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways.

9.3. Paragraph 83 of the NPPF highlights, amongst other things, that *planning policies and decisions should enable:*

a) the sustainable growth and expansion of all types of business in rural areas, ...through well-designed new buildings;

9.4. Paragraph 84 continues by stating that, *the use of previously developed land...should be encouraged where suitable opportunities exist*

- 9.5. Policy PSD1 of the Cherwell Local Plan 2011-2031 (CLP 2015) echoes the NPPF's requirements for sustainable development.
- 9.6. Policy HN - CC 1 of HNNP considers the protection and enhancement of local landscape and character of Hook Norton. The policy states that *development which makes use of previously developed land and buildings will generally be preferred to greenfield locations.*
- 9.7. Policy HN – COM 4 of HNNP states that *Sites providing local employment within the parish should be retained for employment use except in circumstances where it is demonstrated not to be viable.*
- 9.8. The re-use of this part of the site would be integral to that which has already had permission for redevelopment. The proposal would contribute towards bringing the site back into an active employment use, to the benefit of the local rural economy.
- 9.9. The principle of the additional development proposed on this site would therefore satisfy Paragraph 8a) of the NPPF by helping to build a strong, responsive and competitive local economy, Paragraph 8b) by supporting a strong and vibrant community and Paragraph 8c) by making effective use of land.

Design, Landscaping, and Impact on the Character of the Area

Policy context

- 9.10. Paragraph 8c) of the NPPF seeks to protect and enhance our natural and historic environment. Section 12 of the NPPF seeks to achieve well-designed places. Paragraph 130 states, inter alia, that planning policies and decisions *should ensure that developments:*
 - a) *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;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.*
- 9.11. Policy ESD 13 of the CLP 2015 seeks *opportunities to secure the enhancement of the character and appearance of the landscape. Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted where they cause undue visual intrusion into the open countryside.*
- 9.12. Policy ESD 15 of the CLP 2015 addresses the impact of development upon the Character of the Built and Historic Environment. Under this Policy it is stated, inter alia, that *successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context.* Furthermore, the policy continues by stating that *new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design and that all new development will be required to meet high design standards.*

- 9.13. Saved Policy C28 of the CLP 1996 also highlights that *all new development ensures that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the rural context of that development.*
- 9.14. Policy HN - CC 1 of HNNP states that *any development must be located and designed so that it is readily visually accommodated into its surroundings and setting and provides a positive contribution to the locally distinctive character and context of Hook Norton.* The Policy continues by stating that *proposals which would introduce development to isolated sites in the open countryside which would adversely affect the tranquillity, unspoilt character and amenity value of the landscape will not be permitted.*
- 9.15. Policy HN - CC 2 of HNNP states that *all new development should reflect local distinctiveness and be readily assimilated particularly in terms of the extent and amount of development; scale; layout; open spaces; appearance; and materials.* It also wishes to *ensure that local important views and vistas are maintained or enhanced.*
- 9.16. Environment Goal 1 of the HNNP seeks, inter alia, to maintain the rural character of the parish, with the arising objective seeking to retain and enhance the special character of the locality and, at 1.5, to encourage sympathetic management of the countryside around the village, to enhance the high-quality landscape and improve local biodiversity.
- 9.17. Environment Goal 2 of the HNNP seeks to minimise the environmental impact of new development and ensure that any development is sympathetic to its setting. One of its objectives seeks to encourage development that makes use of previously developed land and buildings rather than greenfield locations.
- 9.18. Oxfordshire Wildlife and Landscape Study (OWLS) identifies the site as being located within the Rolling Village Pastures Landscape Type.
- 9.19. Paragraph 2.2(iii) of Cherwell District Countryside Design Summary states that all forms of development need to be sited with care, in order to avoid locations where development would be either prominent, visually intrusive, out of character or would harm a feature or site which is important to the character of the area.

Assessment

- 9.20. It is important to understand the context of the proposed building against that already approved on the site by Planning Committee at its meeting of 15 July 2021.
- 9.21. The application site is cleared of all development, other than hardstandings. The exception to this is the mobile home on the eastern side of the application site. The Officer report to Planning Committee of July 2021 for the main proposal on this site stated, in Paragraph 9.20, that the design and style of the buildings now demolished were dated and did little to enhance the appearance of this rural area. Paragraph 9.26 stated that Officers had raised concern over the bulk of the proposed development. However, the business need for the scale of the proposal was accepted as a necessary means by which the business could function.
- 9.22. The policy context for consideration of this proposal seeks, as a highest bar, enhancement of the local area (NPPF Para 8c and Para 130a; ESD 13; ESD15; HN - CC 2; Environment Goal 1). All forms of development which change that which previously existed are likely to challenge this high bar during the assessment of compliance with policy.

- 9.23. The proposed two-storey storage building subject of this application would be 6 metres (12%) shorter in length than that approved in 2019 but significantly taller, by 3.4m (58%). Some of this additional height would be mitigated by the lowering of ground levels on the south side of the building, to level this part of the site, but only by a maximum of approximately 1.5 metres. However, no such levelling details were given in the 2019 proposals, so a direct comparison cannot be made.
- 9.24. The submitted LVIA suggests (Paragraph 7.11) that the proposals can be successfully integrated without resulting in a significant adverse effect. A subsequent email from the agent dated 25.07.2023 accepts that the built-out site would result in some visual harm. The submission continues that this is inevitable but concludes that the impact would not be significant. Overall, it is considered that the proposal would adversely affect the character and appearance of the local area.
- 9.25. The impact of the proposals can be mitigated through the use of timber and stone wall materials which reflect an agricultural building style and given the current proposal, would ensure a more integrated approach to the design of the site. It is notable that the proposed development specifies stone and wood cladding. The use of concrete in the construction is unstated but probable. To accord with the relevant development plan policies, the stone would need to be natural ironstone.
- 9.26. The visual impact of the proposals can also be mitigated through landscaping which can be secured through conditions of any permission given, and this is supported by ESD13: *...securing appropriate mitigation where damage to local landscape character cannot be avoided*. This is further discussed later in this report.
- 9.27. However, the proposed building would be significantly greater in height (58% increase in overall height) than that approved in 2019. Also, the proposal to clad the western roof elevation in solar panels would make it more visually prominent than that previously approved, potentially with reflection from sunlight when the summer sun is in the west. The roof cladding of solar panels aims to comply with NPPF Paragraph 8c), CLP 2015 Policy ESD1 and HNNP Environment Goal 2, seeking the minimisation of climate change impacts. However, their visual impact is likely to be noticeable from short and longer-distance viewpoints.
- 9.28. Visual prominence of the building needs particularly careful assessment from public views:
- Sibford Gower Road (North and East): The building would be visible but there are twists in the road, high hedgerows and mature trees impeding the view. Views of the solar panels on the roof would probably not exist from this road because of its proximity to the building.
 - Tadmarton Heath Road (South): Views when travelling from west to east would not be prominent due to pre-existing mature trees in the area and the angle of the roof to that road. Views from east to west would be mitigated by other approved buildings on site, yet to be built, by the rise in the road when viewed from a short distance and by high hedgerows and mature trees.
 - The public footpath (immediately to the West): The submitted Landscape and Visual Impact Assessment (LVIA) viewpoints were investigated in summer, when trees are in full leaf, by the Case Officer. The LVIA considers various viewpoints but appears to have missed one from the public footpath to the west, between Viewpoints 1 and 6, where the roof would be particularly prominent in the landscape. However, it was clear from that site visit that the public footpath had been little used in recent weeks, due to the amount of

overgrowth along it. This viewpoint could therefore be argued as not being a locally important view or vista as defined by Policy HN - CC 2 of the HNNP.

- Oatley Hill / Whichford Hill (West): The road is at a highpoint of 239m, with the application site being at about 179m. However, high hedgerows to either side prevent views to the site. As these hedgerows reduce, other landscape features either remove or obscure the views.

9.29. The applicant's LVIA suggests in its Viewpoint 4 on P52 that the site is not visible from a public footpath to the north. Similarly, its Viewpoint 6 on P54 states that the site is completely obscured by an established tree line / vegetation. Whilst this statement may be technically correct in its reference to the site at the time of the photographs, it appears to be misleading. Both viewpoints are looking towards a brownfield site with no buildings on it and do not indicate what impact the proposed building would have on the skyline. This is most clearly evidenced by the clear view of Croft Farm within Viewpoint 4 and of Colman's Elm Barn in Viewpoint 6 which, whilst height has not been surveyed for the two existing buildings, are likely to be lower in height because they are domestic rather than commercial in scale. The applicant's agent was unable to produce line drawings of the proposed and approved buildings in time to clarify this issue and consider it more conclusively as part of this Officer report.

9.30. The site already has permission for the showroom building that, on the west elevation, would have approximate measurements of a ridgeline of 9.4m in height for a length of 63 metres and a lower element of 8.5m in height for a length of 50 metres (as compared to an additional 8.8m in height for a length of 42 metres with the current application). Therefore, in relative terms, while this proposed additional building would add to the bulk, it would not be an isolated addition to the horizon and nearby views.

9.31. Policy conflict therefore exists because harm would result, but impact is tempered by various pre-existing landscape features as detailed in Paragraph 9.28 and pre-approved buildings, as detailed in Paragraph 9.30. Mitigation is also possible in other forms, through suitable landscaping and the use of appropriate materials.

9.32. For landscaping, the submitted LVIA and Illustrative Landscape Strategy (ILS) state how this is proposed:

- To the north, the existing boundary hedgerow is proposed for retention but is laurel or similar.
- To the east, proposed buildings will screen this building.
- To the south, the boundary is proposed to be planted with Portuguese laurel: a non-native species.
- To the west, the existing hedgerow includes coniferous planting.

9.33. The LVIA and ILS suggest that this would ensure that the proposed building benefits from a degree of containment, to help to further integrate the proposal into the landscape.

9.34. Retention and the proposed measures are not considered to be the most comprehensive form of landscaping mitigation. These boundaries would benefit from re-planting of hedgerow and additional trees in a native species, such as hornbeam or beech, or from maintenance work and additional planting on the

western boundary. This would help to reinforce the agricultural style of the proposed building.

- 9.35. The issue of successful integration is therefore capable of being better addressed by the imposition of a landscaping condition which seeks the submission of a revised planting scheme for the site, to complement the sensitive location.
- 9.36. For materials, successful integration will be possible with the proposed use of timber and stone for the walls and the need to consider local sourcing of these materials, for two reasons: to help to ameliorate the scheme into its surroundings and sustainability. This is further addressed in the Sustainability Criteria section, below. There is no means of overcoming the impact of a roof clad in solar panels: this is an area of conflict between different policies at both national and local level. However, the aim to provide sustainable development needs to be acknowledged when considering impact on the character of the area.

Conclusion

- 9.37. It is accepted that the development on the site would be taller and of a larger footprint than the previously approved building which, despite the cladding materials proposed is acknowledged, including by the applicant's agent, as resulting in some visual harm to the local area.
- 9.38. However, the approval of other significant buildings on this site by Committee in 2021 and the proposal to impose suitable conditions to improve assimilation into the landscape are considered to be acceptable means of mitigation.

Sustainability Criteria

Policy context

- 9.39. Section 2 of the NPPF focuses on achieving sustainable development. Paragraph 8c) of the NPPF seeks to *mitigate and adapt to climate change, including a move to a low carbon economy*.
- 9.40. Section 14 of the NPPF is titled 'Meeting the challenge of climate change, flooding and coastal change'. Paragraph 152 of Section 14 emphasises the role of the planning system in supporting *a transition to a low carbon future and contributing to radical reductions in greenhouse gas emissions*. Paragraph 154b) states that *new development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design*.
- 9.41. Oxfordshire County Council's LTCP has a vision and targets which seek to reduce one in four car trips by 2030.
- 9.42. The UK Green Building Council estimate that around 30% of total greenhouse gas emissions arising from the built environment are embodied emissions, meaning that they are generated by extraction, transport and manufacture processes that happen before a building is first occupied.
- 9.43. The Oxfordshire Energy Strategy seeks to achieve a local carbon transition including by reducing the overall number of journeys and to have 56% of electricity demand and 40% of heat demand met by renewables.
- 9.44. This is reflected in CDC's 2020 Climate Action Framework which includes practical measures for the halving of emissions. These include a five-fold increase in the use of solar power and 40% of heating to be renewable.

- 9.45. Cherwell District Council declared a climate emergency in July 2019.
- 9.46. Policy ESD1 of the CLP 2015 seeks *the incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts, including... the use of passive solar design for heating.*
- 9.47. Policy ESD 3 of CLP 2015 specifies how all development proposals should demonstrate sustainable construction methods, including incorporation of locally sourced building materials and minimising both energy demands and energy loss.
- 9.48. Policy HN – CC 1 seeks to ensure that proposals do not impact on tranquillity.
- 9.49. Policy HN – CC 4 of the HNNP expects high levels of resource efficiency and the minimisation of energy consumption.

Assessment

- 9.50. In July 2023, the applicant's agent submitted a roof plan which shows the proposed photovoltaic installation of solar panels on the west-facing roof (Darke & Taylor, February 2023). No accompanying text has been submitted with the roof plan. However, it is apparent that the company's aim is to seek to achieve a reduction of emissions at some level. This is to be welcomed and has to be given very significant weight when considered in the context of the impact of the solar installation on views from the surrounding landscape.
- 9.51. The principle of a development on this site has already been accepted through the 2021 permission for redevelopment and it is welcomed because it re-uses a brownfield site. The applicant's desire to have the storage facility on site is to reduce vehicular movements to and from the site. This is to be welcomed in the context of the Council's Climate Action Framework and HNNP Policy HN – CC 1, because reduced traffic movements will assist in the maintenance of tranquillity in the area.

Economic Impact

Policy context

- 9.52. Paragraph 8a) of the NPPF details the economic objective: *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity.*
- 9.53. Paragraph 81 of the NPPF states that *planning decisions should help create the conditions in which businesses can invest, expand and adapt.*
- 9.54. Paragraph 84 seeks to support a prosperous rural economy through *the sustainable growth and expansion of all types of business in rural areas, ... through well-designed new buildings.*
- 9.55. Policy SLE1 of the CLP 2015 states that *existing employment sites should be retained for employment use.*
- 9.56. A Goal of the HNNP is to *maintain and enhance employment opportunities and businesses providing sustainable services and local employment.* Arising Objective 1.2 seeks to ensure that *any new employment opportunities are appropriate to the surroundings and meet high standards of sustainability (in terms of location and design).* Section 3.6 of HNNP states that local employment opportunities are limited, and many residents travel long distances to work. It recognises that retention of existing businesses will assist in keeping local employment.

9.57. Policy HN - COM 4 states that *sites providing local employment within the parish should be retained for employment use except in circumstances where it is demonstrated not to be viable.*

Assessment

9.58. The Officer report to Planning Committee of July 2021 recognised that the business is of international standing in the trade of the vehicles proposed for this site. As such, the proposal for containment of the business within a site in the District is welcomed as a contributor towards achieving compliance with Paragraph 8a) of the NPPF.

9.59. Paragraph 9.13 of approved application 21/00955/F acknowledged the increase in staff from the previous quantity of 8, for The Firs Garage, to a proposed quantity of 15-20. Bringing the proposed car storage facility on site will not result in any increase or loss of employees over and above the staff declared as being employed in future at the site.

9.60. The desire for a trading facility which is more commercially secure has to be given weight in the consideration of the scheme.

Highway impact

Policy context

9.61. Paragraph 108 of the NPPF states that in assessing specific applications for development, it should be ensured that:

- a) *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) *safe and suitable access to the site can be achieved for all users; and*
- c) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

9.62. Policy SLE1 of the CLP 2015 states, inter alia, that *the proposal can be carried out without undue detriment to the highway network and will not give rise to inappropriate traffic and will, wherever, possible, contribute to the general aim of reducing the need to travel by private car.*

9.63. Policy HN – T1 of the HNNP states that *any new development must provide access to the local road network which is suitable and sympathetic to the surroundings and must provide sufficient off-road parking.*

Assessment

9.64. The Local Highway Authority advises that the access arrangements are to remain as intended under application no. 21/00955/F. The approved northern-most access would be altered and widened to ensure convenient access for the vehicles intended to be stored and sold on site. The access modifications are modest and can be implemented using a section 278 agreement.

9.65. The site layout is considered safe and appropriate for the intended use.

9.66. The proposals are unlikely to result in a significant increase in trips to and from the site when compared to extant permission no. 21/00955/F. The storage area is larger

than that previously agreed, but the site as a whole will produce significantly less trips than the previous use as a petrol filling station. as highlighted in the planning statement, car storage being located internally within the site will reduce trips when compared to off-site storage.

- 9.67. A planning condition is therefore proposed relating to highway access.
- 9.68. The applicant will need to enter into a S278 Agreement with OCC to secure mitigation/improvement works, including widening the northernmost bellmouth junction to the specifications outlined in the submission.

Other matters

- 9.69. All other matters, including the provision of a sustainable drainage system, have been satisfactorily addressed and their implementation can be regulated by condition.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 10.2. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that planning applications be determined against the provisions of the development plan unless material Page 142 considerations indicate otherwise. The NPPF supports the plan-led system and advises that planning applications which accord with an up-to-date development plan should be approved without delay.
- 10.3. This application seeks planning permission for one quarter of a site, the other three-quarters of which already has permission for use as a car sales showroom. The development as a whole would be on a brownfield site. The proposed development, by its very nature, would not be capable of enhancing the landscape. However, the economic, social and environmental benefits of containing the development on one site, and the mitigation measures proposed through the imposition of conditions, are considered to make the scheme acceptable.

11. RECOMMENDATION

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. 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 following plans and documents:

Location Plan 18169-L001 dated 07.07.2022

Site Plan 18169-PP1010 dated 07.07.2022

Ground Floor Plan 18169-PP0130 dated 04.07.2022

First Floor Plan 18169-PP0131 dated 04.07.2022

Roof Plan 18169-PP0132 dated 24.05.2022

Sections 18169-PS0110 dated 04.07.2022

Site Sections 18169-PS1010 dated 07.07.2022

Street Elevation 18169-PE1010 dated 07.07.2022

Elevations 18169-PE0111 dated 04.07.2022

Photovoltaic Installation General Arrangement C1181D-DTL-CB-RF-DR-E-7001 Rev T01

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.

Grampian Condition

3. The development hereby approved shall not be completed and occupied unless and until the development approved by permission 21/00955/F on 16.07.2021 has been substantially completed.

Reason – In order to ensure completeness of the development scheme as a combined development.

Materials

4. No development shall commence above slab level unless and until a schedule of materials and finishes to be used in the external walls and roof of the building has been submitted to and approved in writing by the Local Planning Authority. The stone to be used in the development shall be natural ironstone. The development shall thereafter be completed in accordance with the approved details and shall be retained as such thereafter.

Reason : To ensure the satisfactory appearance of the completed development and to safeguard the character and appearance of the area in accordance with Policies ESD 1, ESD 3 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996, Policies HN – CC 2 and HN – CC 4 of the Hook Norton Neighbourhood Plan and Government guidance contained within the National Planning Policy Framework.

Ecology

5. The development hereby permitted shall be carried out in accordance with the recommendations set out in Preliminary Ecological Appraisal of The Firs Garage, Whichford Road, Hook Norton, Oxfordshire by Windrush Ecology Limited dated September 2020 unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation from significant harm in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and the Government's aim to achieve

sustainable development as set out in Section 15 of the National Planning Policy Framework.

Landscaping

6. Notwithstanding the details submitted, no development shall commence unless and until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,

(b) 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,

(c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps. Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme and the hard landscape elements shall be retained as such thereafter.

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 use of the development and shall be retained as such thereafter.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development 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.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building 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, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment 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.

8. A schedule of landscape maintenance for a minimum period of 10 years shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The schedule shall include details of the arrangements for its implementation. The development shall not be carried out other than in accordance with the approved schedule and shall be retained as such thereafter.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment 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.

Drainage

9. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing:

Drawing
Below Ground Drainage GA (sheet 1 of 2)
Drawing No: 13459 - 500 REV P2

Drawing
Below Ground Drainage GA (sheet 2 of 2)
Drawing No: 13459 - 501 REV P2 -

Drawing
Drainage Standard Details (sheet 1 of 3)
Drawing No: 13459 - 503 Rev P1

Drawing
Drainage Standard Details (sheet 2 of 3)
Drawing No: 13459 - 504 Rev P1 -

All relevant Hydraulic calculations produced via Microdrainage
Date 20/02/2023
File 13459 - SW NETWORK ANAL...

Date 20/02/2023
File 13459 - SW NETWORK ANAL...

Date 20/02/2023
File 13459 - SW SOAKAWAY BAS...

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

Highways

10. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained as such thereafter.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

Construction Traffic Management Plan

11. No development shall take place, including any works of demolition until a Construction Traffic Management Plan (CTMP) has been submitted to, and

approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:

- a) The parking of vehicles of site operatives and visitors;
- b) The routing of HGVs to and from the site;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials used in constructing the development;
- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- g) Measures to control the emission of dust and dirt during construction;
- h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- i) Delivery, demolition and construction working hours;

The approved CTMP shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

INFORMATIVE NOTES TO APPLICANT

1. A Full Plans Building Regulations application will be required for the proposals.
2. The relocated access will require construction on highway land. As a result, the applicant will be required to enter into a section 278 agreement with OCC. This will also apply to any resurfacing or works on existing access points to the highway.
3. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
4. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater)
5. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

CASE OFFICER: Jeanette Davey

TEL: 01295 221564