

## **PLANNING & REGULATION COMMITTEE – 15 FEBRUARY 2010**

### **OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING TRANSPORTABLE OFFICE BUILDINGS AND ERECTION OF TWO STOREY PERMANENT OFFICE BUILDING; FORMALISATION OF EXISTING PARKING AREA TO PROVIDE 10 DEDICATED SPACES**

**Location:** Deddington Depot, Banbury Road, Deddington, Oxfordshire OX15 0TS

**Application No:** R3.0079/09

**District Council Area:** Cherwell

#### **Introduction**

1. This application is for outline planning permission for the demolition of an existing transportable office building and the erection of a replacement two storey permanent office building. The application also proposes the formalisation of the existing parking area on site to provide 10 dedicated parking spaces.
2. An application for outline permission has been made as the Council's highway contract is the subject of a re-bidding exercise. An outline permission, should it be granted, would enable any approved contractor to decide on the details of any final scheme in relation to their operational needs for the site office. This final scheme would then be subject of a further detailed 'reserved matters' planning application.

#### **Location (see site plan)**

3. Deddington Highways Depot is located approximately one mile to the north of the village of Deddington. The site is located to the west of Banbury Road (A4260) and to the east of a minor road which extends along the sites western boundary.

#### **Site and Setting (see site plan)**

4. The depot site covers an area of approximately 8,000sqm which has evolved over time to contain operational buildings, office buildings, workshops, storage buildings and parking for highways and other vehicles. The depot provides the northern part of the county with facilities to store, prepare and manage road materials for highway maintenance, recycling of road material and salting of road surfaces.
5. The developed part of the site is contained within the southern end of a hill with the northern part being a large field which contains many mature trees and shrubs. The whole of the site is enclosed by roads but beyond these is

open countryside. The site is within an Area of High Landscape Value (AHLV). The eastern, northern and part of the western boundaries of the site are screened with thick and well established hedgerows and tree planting. This makes an effective visual buffer of the site when viewed from around these boundaries. Part of the western boundary of the site is less well screened and there are some views into and out of the site towards the open countryside and the villages of Hempton and Barford St Michael to the west.

6. The nearest residential properties are located sporadically to the west and north west of the site with the nearest (Hill Barn) being approximately 150 metres from the north west boundary. The main vehicular access is at the southern end of the site where the Banbury Road meets the minor road which runs around the western boundary.

### **Background and Details of the Development**

7. The site currently has a number of single storey transportable buildings used as offices, all of which would be removed. The buildings have permanent planning permission. In their place, a single permanent two storey building is proposed. The new office building would allow better management and organisation of staff and resources in one location.
8. The new building would be located at the south eastern end of the site immediately adjacent to the eastern boundary and on the footprint of one of the existing buildings to be removed. A new car parking area would be constructed to the south of the proposed building again on the eastern boundary of the site. The replacement building would be purpose built as an office to accommodate approximately 20 staff and would include a reception area and a mess for staff. Part of the first floor would be devoted to the control of the site and its access to enhance security and health and safety management.
9. This outline application deals principally with the location of the proposed building and parking area. The final design, scale and appearance of the building are reserved for a detailed application. However, the application is supported by some illustrative information suggesting that the building could be brick faced with a low angled pitch roof at a height of 6.5 metres falling to 5 metres on the eastern boundary side. A profiled steel roof is also shown.
10. The existing informal parking area around the current offices would be rationalised into a dedicated area adjacent to the new office building. The area would also include new pedestrian pathways. The precise location and detail are reserved. No increase in the number of staff at the site is proposed.

### **Consultations**

11. Cherwell District Council – Object on the grounds that the two storey building will have a detrimental impact on the visual amenities of the area, also have reservations about its design. Suggest that a single storey structure would be

more appropriate in this location or a redesigned two storey structure in a less sensitive location.

Deddington Parish Council – No objection but make the following comments. The site is on the brow of a hill and can be seen from many directions. In developing the site it is important that consideration be given to screening it from view as much as possible and the sympathetic use of materials and colouring. The application mentions views out of the site so therefore the reverse must apply as it can be seen from the houses on the northern boundary of Deddington and Hempton.

Environment Agency

*Original Consultation Response* – Object to the development on the grounds of the potential risks to controlled waters through the lack of information about potentially contaminative uses on the site and the use of a non-mains foul sewage system.

*Second Consultation Response* – An additional ground investigation report has been received which satisfies the original concerns relating to the pollution risk to controlled ground waters. Having reviewed additional information also withdraw objection to the use of non-mains foul drainage as a package sewage plant is now proposed.

Transport Development Control – No objection. In total there will be an extra 7 parking spaces on site for operational use which is considered acceptable.

County Ecologist – No objection.

County Forester – No objection. Existing trees need to be protected from contractor's movements during construction.

County Archaeologist – Application does not appear to directly affect any known archaeological sites. Request an informative advising of appropriate action to be taken in the event of archaeological finds.

### **Relevant Development Plan and other Policies (summarised)**

#### 12. Regional Spatial Strategy for the South East of England 2026 (RSS)

CC1 - The principal objective of the Plan is to achieve and to maintain sustainable development in the region.

CC6 – Development should i) respect, and where appropriate enhance the character and distinctiveness of settlements and landscapes; and ii) use innovative design process to create a high quality built environment which promotes a sense of place.

C4 – Outside nationally designated landscapes, positive and high quality management of the regions open countryside will be encouraged and supported.

13. Cherwell Local Plan 1996 (CLP) (Saved Policies)

C7 - Development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape.

C8 - Sporadic development in the open countryside will generally be resisted.

C9 - Beyond the existing and planned limits of the towns of Banbury and Bicester development of a type, size or scale that is incompatible with a rural location will normally be resisted.

C13 – The Council will seek to conserve and enhance the environment of designated areas of high landscape value.

C28 – Control will be exercised over all new development to ensure that the standards of layout, design and external appearance, including the choice of external finish/materials are sympathetic to the character of the urban or rural context of the development.

ENV1 - Development which is likely to cause materially detrimental levels of environmental pollution will not normally be permitted.

ENV7 - Development which will adversely affect to a material level, the water quality of surface or underground water bodies as a result of directly attributable factors, will not be permitted.

ENV12 - Development on land which is known or suspected to be contaminated will only be permitted if the development is not likely to result in contamination of surface or underground water resources.

14. The Non-Statutory Cherwell Local Plan 2011 (NSCLP)

EN1 - Development which would have an unacceptable environmental impact (on the natural and built environment) will not be permitted.

TR4 – Before proposals for development are permitted the Council will need to be satisfied that all appropriate transport mitigation measures required to support that development are identified.

**Comments of the Head of Sustainable Development**

15. In my view the main issues to be considered with this application relate to:

- (i) Development in the countryside;
- (ii) Impact of the proposed building in this location;
- (iii) Impact on ground water.

(i) Development in the countryside

16. The Deddington depot site is located within the countryside and an area designated locally as having a high landscape value. Policies in the CLP (C7, C8, C9 and C13) seek to protect landscapes and resist development within the open countryside. The depot site is an existing previously developed site in the countryside that has developed over time. It currently consists of a number of buildings and other built development so therefore the proposal would not take place on a 'new' site in the open countryside. The new building would replace existing buildings and as such I consider that the impact of the proposal would be limited as the precedent for a building of this nature has already been set on the site and the development would not result in additional buildings within the countryside. As discussed later in this report the proposed position of the building and the existing landscaping and screening around the site means its visual impact on the surrounding countryside and an area that has a high landscape value would be limited. I therefore consider that the development does not conflict with policies C7, C8, C9 and C13 of the CLP.

(ii) Impact of the proposed building in this location

17. The application proposes a permanent two storey building to replace existing transportable office buildings. The location of the building would be over the footprint of one these existing buildings. As the application has been submitted in outline the final design and scale of the building is left for approval under a future reserved matters application. Policy CC6 of the RSS requires new development to enhance and respect local distinctiveness and landscapes whilst also ensuring that design results in a high quality built environment. Policy C28 of the CLP is particularly relevant to this development as it seeks to ensure that the standards of layout, design and external appearance (including the choice of external finish/materials) of new developments are sympathetic to the character of the rural context of the development.
18. An objection has been received to the development from Cherwell District Council. They consider that the two storey building would have a detrimental impact on the visual amenities of the area and a single storey structure in a less sensitive location on the site would be more appropriate. They also have reservations about the potential design of the new building. Discussions have taken place between the applicant and Cherwell District Council to try to overcome the concerns raised. These have however proved unsuccessful and the objection to the application remains in place. Deddington Parish Council have also commented that the new building should be well screened and of a design sympathetic to the surrounding area.
19. The main consideration is whether a two storey building in the location proposed would be acceptable. On the northern section of the site there are a number of existing industrial style buildings which are of two storey height or more. I consider therefore that the precedent for a two storey building has already been established. The new building would be located immediately adjacent to the eastern boundary of the site. This boundary and the south

east corner of the site are well screened by tall and established tree planting. The application mentions that the new building could be a height of up to 6.5 metres which would be slightly above the height of trees on these boundaries. The final height of the new building is however a reserved matter to be considered under any future detailed application. I therefore consider that provided the height of the new building is not significantly higher than the screening on the eastern and south eastern boundaries of the site then there would be no issues of the visual impact of a two storey building in this location when viewed from the east and south east. Due to the physical nature of the site and the other buildings present it is not possible to view the proposed location of the building from the north. The building would also be set back some 40 metres from the southern boundary and entrance to the site which would mean the view of the building would be limited from this vantage point due to the narrow entrance and existing tree planting.

20. The views into the site from the west and south west are more open although there is intermittent planting along this boundary which does help to break up the views when seen from the open countryside to the west. The position of the building would mean that it would be set back approximately 30 metres from this boundary so its visual impact would be less prominent than a building further towards the western boundary of the site. As mentioned above there are a number of existing buildings on the site which would be of a similar height or higher than the building proposed. Some of these are in closer proximity to the western boundary of the site. Given its location on the far eastern side of the site I consider that provided the design and final choice of materials are appropriate a two storey building would not have any greater visual impact than the existing buildings on site.
21. In relation to the concerns that have been raised by the District and Parish Council regarding the design of the new building, I am satisfied that these matters can be properly addressed as part of a subsequent application dealing with the details of its design and materials. It would be important that the final design of the new building is of a high quality (including the use of sustainable building features) which is sympathetic to the surrounding area. However, the proposed location of the building would enable it to be well screened and a permanent brick building would represent an improvement to the existing buildings. A condition is recommended to ensure that the final details of the design of the new building are considered fully at the reserved matter application stage.
22. To summarise I consider that a two storey building in the location proposed would be acceptable given that the building would be set back from the most open boundary (the western side) of the site. Provided that its height is kept to the same height as the screening on the eastern boundary it would not be visible from the east. This would ensure that the development does not have a visual impact on the surrounding countryside which is considered to have a high landscape value and therefore there would be no conflict with policies C7, C8, C9 and C13 of the CLP. The use of sympathetic materials for the building to reduce its visual impact can be agreed through a reserved matters detailed application. I therefore consider that the development accords with Policy CC6 of the RSS and Policy C28 of the CLP.

(ii) Impact on ground water

23. The proposed building would be located in an area of the site that may have had previous uses that are potentially contaminative. Disturbance of the ground which would take place during the construction of the new building may pose a risk to groundwater. Policies ENV1, ENV7 and ENV12 of the CLP seek to protect groundwater and ensure that development does not take place on contaminated land.
24. The Environment Agency (EA) are concerned to ensure that the risk of pollution to controlled waters is acceptable and consider use of a non-mains foul drainage would be unacceptable. Further information (in the form of a ground investigation report) has been submitted by the applicant to demonstrate that the development would not lead to a pollution risk to groundwater. As a result of this further information the EA have withdrawn their objection, subject to conditions. The applicant is also now proposing to use a package sewage treatment plant which satisfies the EA's concerns relating to non-mains foul drainage.
25. Given that the EA are now satisfied with the proposal I consider that, subject to conditions, the development would not pose a risk to groundwater and as such is consistent with policies ENV1, ENV7 and ENV12 of the CLP.

Conclusion

26. In conclusion I consider that a two storey building in the location proposed would be acceptable in planning terms as its location would be in one of the least prominent positions on the site and would not impact on the wider countryside. It would also be constructed on a piece of previously developed land currently occupied by one of the buildings to be removed. The development would also allow for the better management and security of the site and allow more efficient working by staff currently located in separate office buildings. It would however need to be demonstrated that the final design and massing of the building is acceptable in any detailed reserved matters application.

**RECOMMENDATION**

27. **The Committee is RECOMMENDED to approve Application Number R3.0079/09 for outline approval for the demolition of existing transportable office buildings and erection of two storey permanent office building; formalisation of existing parking area to provide 10 dedicated spaces subject to conditions to be determined by the Head of Sustainable Development to include the following matters:**
  1. **outline compliance – that the development must be carried out strictly in accordance with the particulars contained in the application and the plans accompanying with any approval given in respect of any subsequent reserved matters;**

2. application for approval of the reserved matters to be made not later than 3 years of the date of the permission;
3. that details of the design, materials and height of the proposed building shall be submitted and approved prior to the commencement of the development;
4. that details of the sustainable features of the proposed building shall be submitted and approved prior to the commencement of the development;
5. that details of the proposed car parking layout and vehicle and pedestrian access points and routes shall be submitted and approved (in consultation with the Local Highway Authority) prior to the commencement of the development. Any details approved shall be implemented before the development is brought into use;
6. the development shall not commence until such time as a scheme to a) dispose of surface water and b) install oil and petrol separators has been submitted and approved (in consultation with the Environment Agency). Any details approved shall be implemented before the development is brought into use;
7. the development shall not commence until the final details of a self-contained powered sewerage package plant to serve the proposed building have been submitted and approved (in consultation with the Environment Agency). Any details approved shall be implemented before the development is brought into use;
8. if during development contamination is found to be present on site, then no further development shall be carried out until a method statement detailing how this contamination shall be dealt with, has been submitted and approved (in consultation with the Environment Agency); and
9. that no development shall take place until the trees on the site which are to be retained and which are adjacent to or within the development area, have been protected during building operations by means of a protective fence around the edge of the canopy of the trees.

**Ecological informative – Prior to the submission of any reserved matters application the applicant shall contact the County Ecologist for advice on ecological issues associated with any reserved matters application.**

**Archaeological informative – If archaeological finds do occur during development, the County Archaeologist shall be notified in order that he may visit the site and advise as necessary.**

**Environment Agency Informative - Any open chemical or refuse storage areas should be surrounded by suitable liquid tight bunded compounds to prevent drainage from these areas discharging into the surface water system. These areas should drain to the sealed tanks.**

**Environment Agency Informative - Any above ground oil storage tank(s) should be sited on impervious base and surrounded by a suitable liquid tight bunded. No drainage outlet should be provided.**

**The bunded area should be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage. The vent pipes should be directed downwards into the bund. Guidelines are available from the Environment Agency.**

CHRIS COUSINS  
Head of Sustainable Development  
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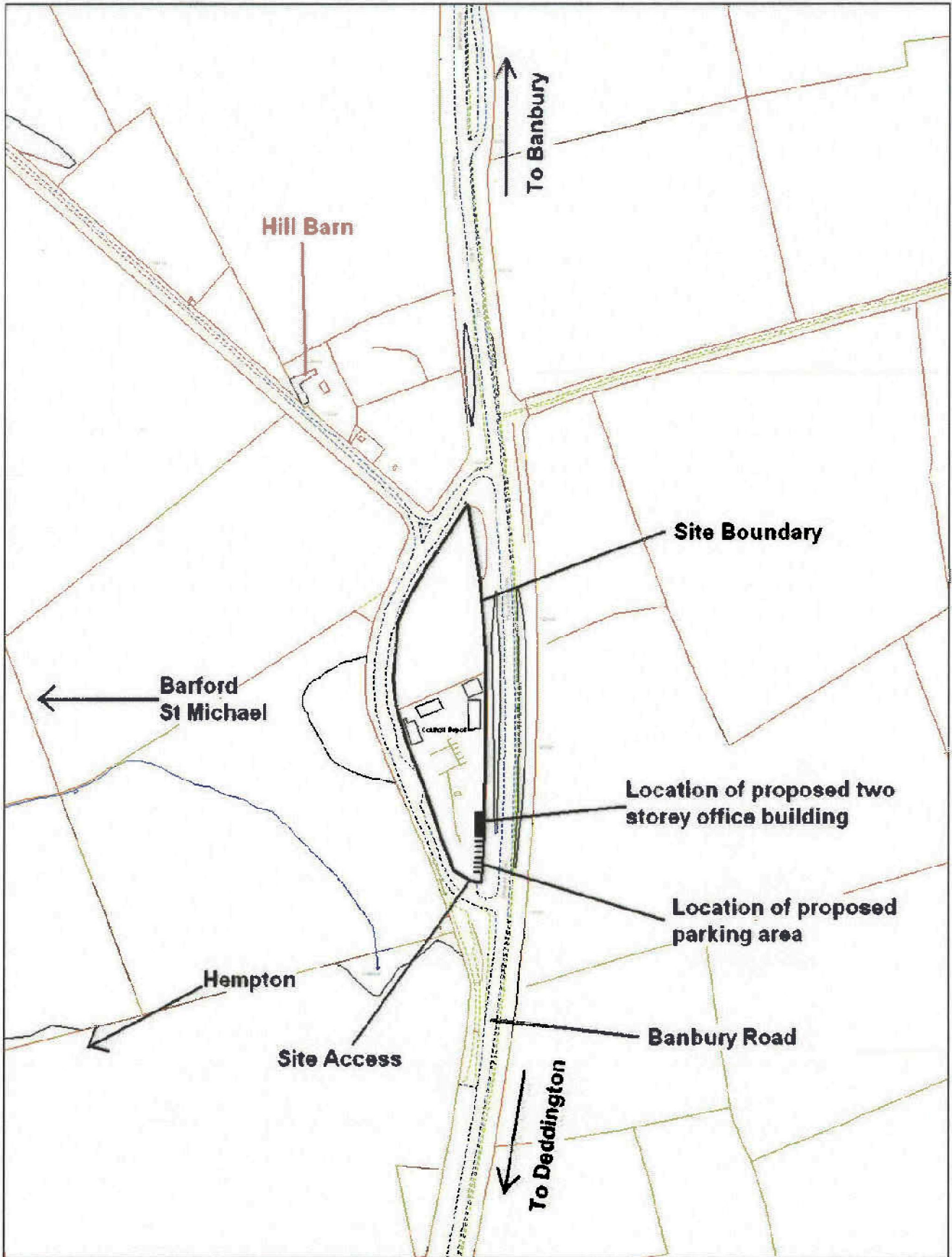
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February 2010

**Deddington Highways Depot**

**App. No. R3.0079/09**



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