

Application number:	18/03060/FUL		
Decision due by	12th March 2019		
Extension of time	N/A		
Proposal	Erection of aluminium framed loading bay building on rear section of car park.		
Site address	U Y S Ltd , Garsington Road, Oxford, OX4 2BW – see Appendix 1 for site plan		
Ward	Lye Valley Ward		
Case officer	Michael Kemp		
Agent:	Mr Ross Vinter	Applicant:	Mr Brian Renwick
Reason at Committee	The proposals are major development		

1. RECOMMENDATION

1.1. **East Area Planning Committee** is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Acting Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Acting Head of Planning Services considers reasonably necessary

2. EXECUTIVE SUMMARY

2.1. This report considers a proposal to retain permanently a 1736sqm warehouse building currently used by UYS, a company which manufactures automotive parts. The building was granted temporary planning permission in 2015 under planning reference 15/02262/FUL for a period of three years for the purposes of storage and some limited engineering operations. Retention is sought on the basis that the building is still required for these purposes.

2.2. It is considered that there is a demonstrable operational need for the retention of the building on a permanent basis as the building would meet the ongoing needs of the business to provide additional storage space.

- 2.3. The building is already in place and the visibility of the structure is extremely limited from any public vantage points. It is considered that the design of the building is acceptable in line with its function as an industrial storage building. Owing to the remote siting of the building the development would not impact adversely on the residential amenity of any residential properties or surrounding land uses. There would be no change in parking provision, current provision is considered adequate for the ongoing uses on the site.
- 2.4. It is considered that the permanent retention of the building is acceptable and compliant with the provisions of the Oxford Local Plan, Core Strategy, the Oxford Emerging Local Plan and the NPPF. For the reasons expressed in this report the application is recommended for conditional approval.

3. LEGAL AGREEMENT

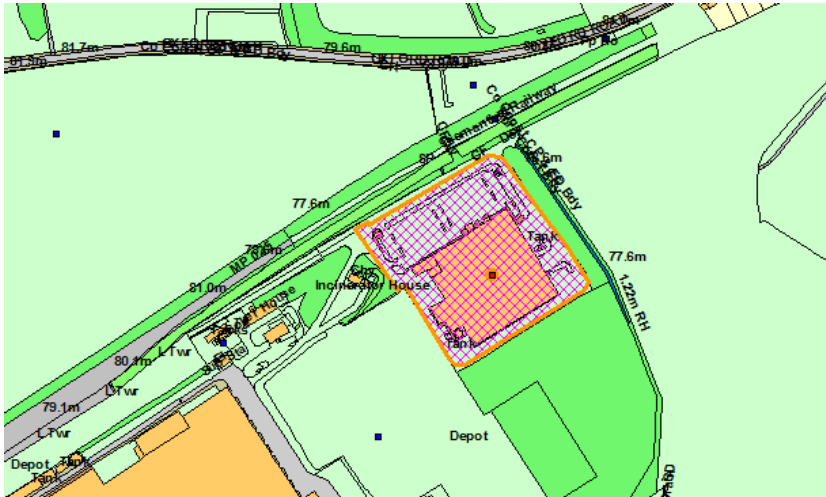
- 3.1. This application would not be subject of a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 4.1. The proposal would not be liable for a CIL contribution as a contribution was made following the approval of planning application 15/02262/FUL and there is no increase in the size of the building.

5. SITE AND SURROUNDINGS

- 5.1. The site is located to the north-west of Unipart and the BMW Mini Factory site and is accessed from Garsington Road. Immediately adjacent to the site to the north-west is the freight railway line that serves the car factory. Beyond the railway line is an area of farmland and Horspath Road which is geographically the closest highway to the application site but is not accessible from UYS. The application site lies close to the edge of Oxford City's administrative boundary and is in close proximity to the edge of Horspath village; despite this close proximity (approximately 260 metres) the site is not visible from the village due to the railway embankment and a dense area of vegetation to the north of the application site. To the south-east of the application site there is the Unipart depot and the very large Unipart warehouse that is a major distribution centre.
- 5.2. The application site includes a large existing building that is the main manufacturing facility for UYS as well as the offices and a warehouse. The building was constructed in the late 1990s and is a large, partially two storey, partially single storey building covering an area of 10000m.
- 5.3. The application seeks to permanently retain an existing single storey warehouse building, which was granted temporary planning consent in 2015 (15/02262/FUL) for a period of three years. The building is an aluminium framed building with white external cladding. The building is currently in use for its permitted purpose, this being for the storage of automotive parts, the building also contains some manufacturing machinery, though this is not presently in use.
- 5.4. See block plan below:



6. PROPOSAL

6.1. The application proposes to permanently retain the existing single storey warehouse building. The building is 30 metres wide and 36 metres in length, the building would measure 8.5 metres to the roof ridge. It is specified that the building is still required for storage and production purposes. There are no proposals to further alter the access or parking arrangements on the site, no additional landscaping is proposed.

7. RELEVANT PLANNING HISTORY

7.1. The table below sets out the relevant planning history for the application site:

<p>01/01018/NR - Erection of extension to existing building for general industrial use (Class B2) (details of siting, design and external appearance reserved under outline application permission 95/1752/NOY).. APPROVED 10th September 2001.</p>
<p>95/01752/NOY - Outline application for the erection of building for general industrial (Class B2), with access, parking and landscaping.. APPROVED 29th October 1996.</p>
<p>96/01703/NR - Erection of building for industrial purposes, parking for 197 cars & 60 bicycles with access from Oxford Rd, Garsington (details of siting, design, external appearance, access & landscaping reserved under 95/1752/NOY) (Amended plans). APPROVED 17th February 1997.</p>
<p>96/01704/VF - Variation of condition 12 of outline approval 95/1752/NOY. (To remove mounds to create a car park). APPROVED 25th February 1997.</p>
<p>97/00393/NF - Revisions to approved design to incorporate 2 storey office element (plus ancillary facilities) as part of factory building (864sq m. additional office floor space over & above approved scheme). (Variation to permission 96/1703/NR). APPROVED 25th April 1997.</p>

10/03317/FUL - Erection of single storey loading bay at existing loading bay..
APPROVED 17th February 2011.

15/02262/FUL - Erection of warehouse building on existing car parking area..
APPROVED 27th October 2015.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan	Core Strategy	Oxford Emerging Local Plan 2036
Design	12	CP1 CP8 CP9 CP10 CP11	CS18_	DH1
Commercial	5	EC1 EC9	CS27_	E1
Transport	9	TR3 TR4	CS13_ CS17_	M3
Environmental	15		CS11_	RE8
Miscellaneous		CP.13 CP.24 CP.25		SP8

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 12th December 2018 and an advertisement was published in The Oxford Times newspaper on 13th December 2018.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. The application is seeking to extend/or make permanent the current temporary permission (ref: 15/02262/FUL) granted in 2015 for the erection of an aluminium, portal framed building on the car park to the rear of the main factory. The proposed building is expected to continue its current functioning and would not likely lead to an increase in staff and traffic.

9.3. Besides making the current temporary consent a permanent one, no other material change shall result from the proposal including access to the public highway.

9.4. Oxfordshire County Council as Local Highway Authority do not wish to object to this planning application, making observations that the development shall not affect the local highway network.

Public representations

9.5. No public representations have been received in relation to this planning application.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design and visual impact
- Sustainability
- Amenity
- Transport

a. Principle of development

10.2. The proposals relate to employment based development, which is proposed on the basis of the operational needs of an existing business UYS limited, on this basis the provisions of Policy EC1 of the Oxford Local Plan are of material relevance. Policy EC1 states that the City Council will seek to maintain, strengthen, modernise and diversify a sustainable economic base for Oxford. The basis of this policy is consistent with Paragraph 80 of the NPPF which requires that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

10.3. The development proposed is acceptable in principle; specifically in the context of Policy EC1 of the Oxford Local Plan 2001-2016 it is considered that the proposals represent a significant investment by an existing employer and would be facilitating necessary improvements in their production processes which would improve the viability of their site. The planning statement identifies an ongoing need to retain storage space for storage and production operations and it is evident from visiting the site that this space is still required.

10.4. Officers have also been mindful of the requirements of the Council's adopted planning policy in relation to warehousing, Policy EC.9 of the Oxford Local Plan 2001-2016. Policy EC9 requires that:

Planning permission will only be granted for new warehouse development if:

- a. it demonstrates a need to be located in Oxford;
- b. there are no suitable vacant warehouse buildings existing, under construction or with planning permission;
- c. it is located near to Oxford's ring road and wherever possible makes use of the railway;
- d. it is designed to a high standard and respects its landscape setting;
- e. there is satisfactory provision for access, servicing and parking;
- f. there is no unacceptable environmental impact due to increased traffic, noise, and light pollution;
- g. the development would not significantly reduce the amenities of occupants of nearby properties; and
- h. landscape proposals are included as an integral part of the development proposal.

In cases involving the re-use of existing employment-generating sites, the applicant will need to demonstrate that the proposal would not result in a significant loss of jobs.

- 10.5. The proposed development is associated with existing operations on the UYS site and the warehousing cannot be provided elsewhere. Many of the concerns associated with warehouse development set out in policy EC.9 are not relevant in this case because the development proposed relates only to the relocation of existing plant, machinery products and materials rather than a new business or increased movements.
- 10.6. The building was granted temporary planning permission on the basis that there was a demonstrable need for the building to meet the operational requirements of the business which was considered to accord with Policy CP25 of the Oxford Local Plan. The warehouse building was required on the basis that additional space was needed to facilitate the installation of large new equipment into the production area within the main building. In order to install the new equipment there was a requirement to move plant, machinery and products into a new temporary building as existing storage place would be displaced in the main building and could not be provided elsewhere.
- 10.7. The building is used for the storage of materials and products associated with engineering operations on the site, though the original permission also allows for limited manufacturing operations to take place in the building. There is a large machine (Swiss Roll Machine) in the building which is designed for parts manufacture, though this machine is not being used at this time.
- 10.8. Since the period of temporary consent has expired the applicants have adjudged that there is a permanent need for this space on the basis that the building is still in use for storage and this space is still required in order to meet the company's operational requirements. The main factory building is principally

being used for production and the warehousing and storage space cannot be provided within the main building due to a lack of available space and in order to cope with production demands.

10.9. Within the provisions of the Emerging Oxford Local Plan 2036, the site forms part of a category 1 protected employment site and specific employment site as referenced under Policy SP8 (Unipart). The Emerging Plan has undergone a period of consultation, ahead of submission for examination in March 2019, as the local plan has not been subject of examination the policies have limited statutory weight at the present time but are a material consideration in determining all applications.

10.10. Policy E1 of the Emerging Local Plan is permissive of employment related development on employment sites where the development: Allows for higher-density development (with more employment floorspace and jobs per hectare) that seeks to make the best and most efficient use of land; and does not cause unacceptable environmental impacts and effects. The site specific policies outlined under Policy SP8 (Unipart) allow for B1, B2 and B8 uses where this supports employment activities on the site. The principle use of the building for storage and industrial use (Mix of Classes B2 and B8) would clearly be in connection with the existing use of the site by UYS Limited and is therefore considered to be supportable in line with Policy SP8, as well as Policy E1 of the Emerging Local Plan.

10.11. Officers consider that the retention of the building would assist in facilitating the ongoing needs of the business to expand and develop and is therefore considered to be beneficial to local economic development and is line with the provisions of Paragraph 80 of the NPPF. The proposals are also deemed to be compliant with the provisions of relevant Policies EC1 and EC9 of the Oxford Local Plan, in addition to the relevant policies of the Emerging Oxford Local Plan as outlined bearing in mind the limited weight to be attributed to those policies as set out above.

b. Design and Visual Impact

10.12. The building is a utilitarian aluminium framed structure, which is similar in appearance to the surrounding industrial and warehouse buildings in the immediate area; whilst the building was intended as a temporary structure it remains in a good condition and has the appearance of a permanent building. The building is white in colour and for the reasons given below, in this case is felt to be acceptable.

10.13. Views of the building are limited principally to within the site itself. The nearest public vantage point is from Oxford Road and the village of Horspath to the North, though owing to the presence of dense vegetation and tree cover as well as a large railway embankment, the building would be largely unseen from Horspath Road or the surrounding agricultural land to the east. The building is also set against the backdrop of large industrial buildings and the overall height of the building at 8.5 metres to the roof ridge is not considered to be excessive and sits well below the roof ridge of the main warehouse. Officers are satisfied that the overall size of the building is justified by reason of the operational

requirements of the business and it is considered that the building would not have an adverse landscape or visual impact.

10.14. It is considered that the design and siting of the building is acceptable and complies with the requirements of Policies CP1, CP6, CP8, and CP9 of the Oxford Local Plan and Policy DH1 of the Emerging Local Plan bearing in mind the weight attributed to this policy.

c. Sustainability

10.15. The provisions of Policy CS9 of the Oxford Core Strategy requires on qualifying sites that a Natural Resource Impact Analysis (NRIA) is provided, in non-residential developments, qualifying sites are developments of 2000sqm or more. This threshold also applies under the provisions of Policy CP18 of the Oxford Local Plan. The proposed development would consist of less than 2000sqm in floorspace, therefore an NRIA would not be required in this instance.

10.16. Policy RE1 of the Emerging Oxford Local Plan requires a carbon reduction in new building non-residential developments of over 1000sqm and that developments over this threshold should meet BREEAM excellent standards. As the building is an existing structure and accounting for the limited statutory weight which can be applied to the policies of the Emerging Local Plan at the present time, officers consider that there would be no specific requirement to meet this standard accounting for the nature of development proposed. It is also noted that the building is unheated so energy expenditure would be minimal.

d. Impact on neighbouring amenity

10.17. The building is sited in a remote location and lies a considerable distance away from any residential properties, the nearest of which are sited approximately 260 metres from the building in Horspath to the North East. The Councils Environmental Health Officer has raised no specific concerns in relation to the noise impact of the development accounting for the non-residential location of the building.

10.18. The temporary planning permission limited manufacturing in the building to operations specifically associated with the Swiss Roll Machine (a car parts manufacturing machine) unless otherwise agreed in writing. Officers consider it necessary to reapply this condition as it ensures that adequate control is retained over the use of the building, as unrestricted manufacturing use within the building could be of detriment to the amenity of neighbouring residential properties.

10.19. Officers consider that the siting of the development is considered to have no adverse amenity implications and the development is deemed to comply with Policies CP1, CP9 and CP10 of the Oxford Local Plan.

e. Transport

10.20. The building is located on land which formerly functioned as car parking. The loss of 40 parking spaces on the site was considered acceptable at the time that temporary planning consent was granted for the warehouse. It is stated that UYS

limited employs 150 staff, the parking standards for general industrial and warehousing uses, as specified under Policy TR3 of the Oxford Local Plan requires the provision of 1 space per 5 staff, therefore in this instance there would be a requirement to provide 30 parking spaces. There are currently 110 spaces on site which far exceeds this requirement. The provisions of Policy M3 of the Emerging Local Plan, whilst being attributed limited weight at the present time states that there should be no increase in parking spaces in non-residential employment related developments.

10.21. There would be no further loss of parking spaces, compared with existing levels and the applicants have stated that the number of staff has reduced since approval was granted for the temporary structure in 2015. The continued use of the building would not result in an increase in staff numbers. When visiting the site it was observed that the existing car parking was significantly under capacity in terms of usage. The proposed development would not result in an increase in HGV movements.

10.22. Cycle parking was provided at the time at which the temporary planning application was approved. As there has been no increase in staff numbers as a result of the approved development and staff numbers have in fact reduced, officers consider that requiring additional cycle parking would not be appropriate in this instance. The development is therefore considered to comply with the requirements of Policy TR4 of the Oxford Local Plan and Policy M5 of the Emerging Local Plan which both relate to the provision of cycle parking.

10.23. Oxfordshire County Council as statutory highway authority has raised no objection to the proposed development. The proposals are considered to comply with the provisions of Policy TR3 and TR4 of the Oxford Local Plan and Policy M3 and M5 of the Emerging Local Plan, accounting for the relevant limited weight attributed to these policies.

11. CONCLUSION

11.1. Having regards to the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes clear that proposals should be assessed in accordance with the development plan unless material considerations indicate otherwise.

11.1. Paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development, this means approving development proposals which means approving development proposals that accord with an up-to-date development plan without delay; or approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 11.2. The application seeks to permanently retain a previously consented temporary warehouse building, which would be used for storage and production purposes to meet the operational requirements of the existing business. The building is still in use and the ongoing operational need for the building is accepted. The building would assist in meeting the requirements of an important local employer. It is considered that the development would benefit the local economy and the siting of the building complies with the relevant economic policies of the Oxford Local Plan, namely EC1 and EC9 as well as the general employment and site specific requirements of the Emerging Local Plan, namely policies E1 and SP8.
- 11.3. It is considered that there are no adverse implications associated with the siting of the building either in terms of residential amenity, the amenity of adjacent land uses, or in visual terms. The development would not result in an increase in vehicle movements and would not result in any further reduction in parking provision, therefore there are considered to be no adverse implications in terms of highway safety or amenity.
- 11.4. In the context of Paragraph 11 (c) of the NPPF it is considered that the development accords with the relevant provisions of the Oxford Local Plan, Sites and Housing Plan, Core Strategy and the Emerging Oxford Local Plan 2036. There would be significant public benefits, particularly economic benefits associated with a development which assists in meeting the operational needs of an established local business and employer allowing the business to make best use of their site and retaining their presence in the local area.
- 11.5. For the reasons outlined it is recommended that the Committee resolve to grant planning permission for the development proposed.

12. CONDITIONS

1. The development referred to shall be constructed strictly in complete accordance with the specifications in the application and the submitted plans.

Reason: To avoid doubt as no objection is raised only in respect of the deemed consent application as submitted and to ensure an acceptable development as indicated on the submitted drawings.

2. No external lighting will be fitted to the outside of the approved building unless agreed otherwise in writing by the Local Planning Authority.

Reason: Given the overall size of the building and its close proximity to the edge of the City it is not acceptable to install external illumination that would otherwise erode the quality of the surrounding area as required by Policy CP20 and CP25 of the Oxford Local Plan 2001-2016.

3. The approved warehouse building shall be used only for the storage of plant, machinery, products and materials used in conjunction with the operations taking place on the application site and the only manufacturing processes taking place shall be those associated with the operation of the 'Swiss roll machine' and its ancillary operations. No other manufacturing or industrial

processes shall take place within the approved building unless agreed otherwise in writing by the Local Planning Authority. The only machinery operating within the approved building shall be forklift trucks or machinery associated with the storage and distribution of plant, machinery, products and materials and the 'Swiss roll machine' and its ancillary plant and machinery unless agreed otherwise in writing by the Local Planning Authority.

Reason: Planning permission has only been sought for a storage building with limited manufacturing in relation to the operation of the 'swiss roll' machine; if the building were used for other industrial processes they could give rise to an adverse impact on noise to the detriment of the surrounding environment particularly for occupiers of residential properties. This condition is therefore required to ensure that the development complies with Policy CP1, CP10, CP19, CP21 and CP25 of the Oxford Local Plan 2001-2016.

13. APPENDICES

- **Appendix 1 – Proposed Site Plan**

14. HUMAN RIGHTS ACT 1998

14.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

15. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

15.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

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