

Oxford City Planning Committee

18.04.2023

Application number:	23/00388/FUL		
Decision due by	6th June 2023		
Extension of time	N/A		
Proposal	Demolition of 2no. canopies to north elevation and formation of 1no. canopy to main entrance. Replacement cladding to all elevations. Replacement cladding and rooflights to all roofs. Replacement window and fire exit doors.		
Site address	U Y S Ltd , Garsington Road, Oxford, Oxfordshire – see Appendix 1 for site plan		
Ward	Blackbird Leys Ward		
Case officer	Michael Kemp		
Agent:	Miss Nour Sinno	Applicant:	Mr Tom Hesp
Reason at Committee	The proposals are a major development in relation to the size of the site.		

1. RECOMMENDATION

1.1. The Oxford City 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. **Delegate authority** to the 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 Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers a series of works to a large vacant industrial building, last occupied by UYS a car parts manufacturing company. The development site is located on the far eastern edge of Oxford and lies on the edge of the Unipart site. The proposed works are as follows:

- Re-cladding the warehouse elevations and roofs;
- Replacing the existing glazing and fire exit doors at the warehouse;

- Demolition of the two existing canopies;
- Provision of a new entrance canopy.

2.2. The proposals as a whole are considered to enhance the appearance of the existing building consistent with Policy DH1 of the Oxford Local Plan. The proposals would represent a modernisation of the existing building, improving its usability for future occupiers, consistent with its existing employment use and is therefore consistent with Policies E1 and SP7 of the Oxford Local Plan. There are considered to be no adverse implications in respect of the amenity of any surrounding uses, transport impacts; or environmental impacts including the risk of flooding or land contamination.

2.3. It is recommended that the Committee resolve to grant planning permission for the development proposed.

3. LEGAL AGREEMENT

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

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

4.1. Accounting for the size of the additional net floorspace created, the proposals would not be liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The application site is located in the north eastern corner of the Unipart site on the far eastern periphery of Oxford. The site consists of a large industrial building and associated annex building, totalling 12173 sqm Gross Internal Area of employment floor space. The main warehouse building was constructed in 1997 and an ancillary annex building was added to the front of the main building in 2019, following approval of planning application 18/03060/FUL.

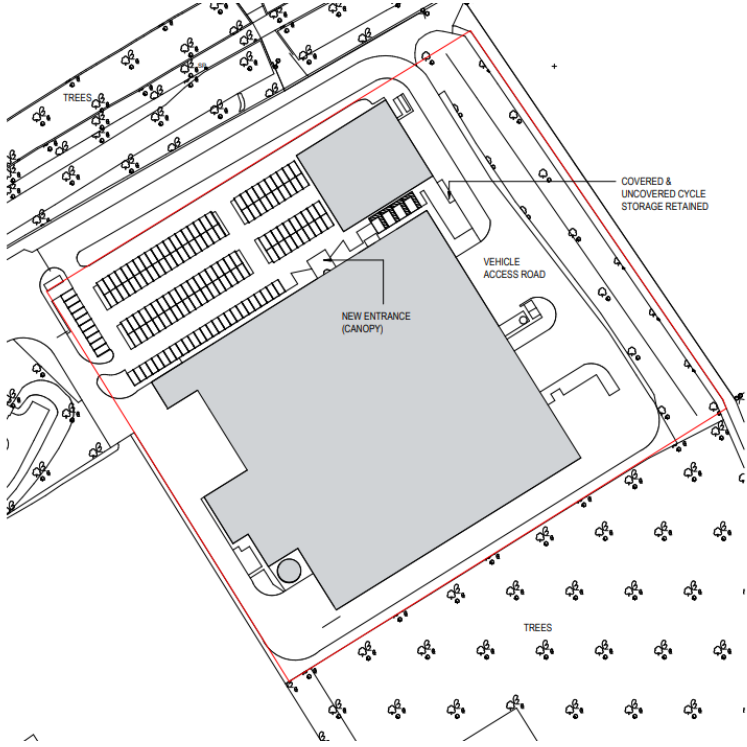
5.2. The building was last used by UYS Limited, a car parts manufacturing company. UYS vacated the site in 2021, as the company was associated with the Honda UK plant based in Swindon which ceased operations in 2021. The building's last use would primarily be classed as a Class B2 industrial use, although the operation of the building and nature of the uses included elements of office and storage/distribution uses (Classes B1 and B8 at that time). Planning permission (22/01712/FUL) was granted in November 2022 for a temporary change of use of the building to a use falling within Class B8 of the Use Classes Order for a period of five years. This change of use has yet to be implemented.

5.3. The building lies to the north east of a large warehouse building currently occupied by Unipart. The only means of access to the site is through the adjoining Unipart site, via a security controlled access point and there is no existing public access into the site. Access beyond the Unipart site is provided via Transport Way and Garsington Road. Parking for 135 cars is provided to the north west of the main building.

5.4. A section of former railway embankment lies to the north and north east of the site. Beyond the embankment is an area of wooded land separating the site from Oxford Road, which leads from Horspath village. Horspath lies to the north east of the site, the nearest dwelling to the site is located approximately 247 metres from the site boundary. Oxford Sports Park and the Oxford United training ground is located to the north west of the site on the opposite side of the embankment. The land to the east of the site currently comprises open agricultural fields, however this lies within South Oxfordshire District and is allocated within the South Oxfordshire Local Plan for residential development (Northfield, South Oxfordshire Local Plan Policy STRAT12) for provision of 1800 new homes.

5.5. The surrounding land to the north and east of the site falls within the Oxford green belt, including the railway embankment, although the application site and land associated with the Unipart site falls outside of the boundaries of the green belt.

5.6. See block plan below:



6. PROPOSAL

6.1. The following works are proposed to the building within this application:

- Re-cladding the warehouse elevations and roofs;
- Replacing the existing glazing and fire exit doors at the warehouse;
- Demolition of the two existing canopies;
- Provision of a new entrance canopy.

6.2. The applicant has outlined that the existing cladding is not loss prevention board approved and is made from combustible materials, which makes the building a fire risk. Due to the fire risk associated with the cladding, the applicant has outlined that this risk required the sprinkler system to remain charged, which had incidentally frozen during a period of colder weather, causing water damage to the building and cladding. Replacement of the damaged cladding is therefore sought. It is proposed that the existing blue and white cladding would be replaced by a combination of light and dark grey Kingspan cladding. The proposed plans have been revised to amend the distribution of the lighter and darker grey cladding. This was to reduce the prominence of the building in selected views, by substituting the darker grey cladding on the upper sections of the building for lighter grey on the lower sections. The new entrance lobby would replace the existing canopy sited on the north western elevation of the building facing the car park and forms the main entrance. This would consist of a small, single storey, glazed lobby, with an overhanging canopy above the entrance doors. The lobby would measure 20sqm in total area.

6.3. There are no changes to the use of the building, parking or access provisions. No plant additional plant equipment 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).. Permitted 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.. Permitted 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). Permitted 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). Permitted 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). Permitted 25th April 1997.</p>
<p>15/02262/FUL - Erection of warehouse building on existing car parking area.. Permitted 27th October 2015.</p>
<p>18/03060/FUL - Erection of aluminium framed loading bay building on rear</p>

section of car park.. Permitted 14th February 2019.

22/01712/FUL - Temporary change of use of the existing UYS Building from general industrial (Use Class B2) to storage and distribution (Use Class B8) for a period of 5 years.. Permitted 1st November 2022.

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan
Design	126-136	DH1 - High quality design and placemaking
Commercial	81-83	E1 - Employment sites - intensify of uses
Natural environment	174-182	G2 - Protection of biodiversity geo-diversity
Transport	104-109	M1 - Prioritising walking, cycling and public transport M2 - Assessing and managing development M3 - Motor vehicle parking
Environmental	119-125; 152-169	RE1 - Sustainable design and construction RE3 - Flood risk management RE4 - Sustainable and foul drainage, surface RE5 - Health, wellbeing, and Health Impact Assessment RE7 - Managing the impact of development RE8 - Noise and vibration RE9 - Land Quality
Miscellaneous	7-12	S1 - Sustainable development SP7 - Unipart

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 15th March 2023 and an advertisement was published in The Oxford Times newspaper on 16th March 2023.

Statutory and non-statutory consultees

Oxfordshire County Council

9.2. No objections on basis of drainage or flood risk impacts.

Thames Water

9.3. Do not wish to comment

Public representations

9.4. No public comments have been received in relation to the proposed development.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Principle of development
- Design
- Amenity Impact
- Flooding/drainage flood risk
- Ecology

Principle of development

10.2. The application site lies within the wider Unipart site, which is classed as a Category 1 employment site in the Oxford Local Plan under Policy E1. The Unipart site also forms a specific allocation under Policy SP7 of the Oxford Local Plan. Site Policy SP7 states that planning permission will be granted for B1, B2 and B8 employment uses at Unipart. The site also lies within the Cowley Branch Line Area of Change (Policy AOC7) of the Oxford Local Plan.

10.3. Policy E1 of the Oxford Local Plan states that planning permission will be granted for the intensification, modernisation and regeneration for employment purposes of any employment site if it can be demonstrated that the development makes the best and most efficient use of land and does not cause unacceptable environmental impacts and effects. For category 1 sites planning permission will not be granted where development results in the loss of any employment floor space.

10.4. The proposals do not seek to alter the use of the building and are improvement works, which could be classed as modernising the building. The applicant has outlined the rationale for the recladding of the building, given the water damage caused to the cladding and its unsuitability based on combustibility and potential fire risk. It is considered that the recladding of the building is reasonably justified on this basis. The recladding of the building and formation of an improved entrance lobby would enhance the usability of the building and its attractiveness to future occupiers consistent with the existing uses on the site. This would increase the likelihood of the building being brought back into use. The principle of the development proposed is therefore considered to comply with Policies E1, SP7 and AOC1 of the Oxford Local Plan.

Design

- 10.5. Policy DH1 of the Oxford Local Plan states that planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.
- 10.6. The UYS building is large in scale, but owing to existing screening is not highly visible from outside of the site, apart from in some medium range views from Horspath and the adjoining sports ground. The existing light blue cladding is faded and in a poor condition. The replacement of the cladding with new, higher quality cladding would generally enhance the overall appearance of the building, compared with its present condition. Amendments have been made at the request of the officers to substitute darker grey cladding on upper sections of the building, which are visible beyond existing screening for lighter grey cladding. This reduces the overall prominence of the building in the aforementioned medium range views. Overall the recladding is considered to enhance the appearance of the building.
- 10.7. The entrance lobby would be a small, subservient and visually unobtrusive addition to the front of the building, which compared with the existing canopy and entrance would improve the appearance of the front façade of the building, as would the removal of the existing entrance canopies.
- 10.8. The proposals are therefore considered to enhance the external appearance of the building and would comply with Policy DH1 of the Oxford Local Plan.

Ecology

- 10.9. Policy G2 of the Oxford Local Plan states that development that results in a net loss of sites and species of ecological value will not be permitted.
- 10.10. The building's location on the edge of the Unipart site, in proximity to woodland, watercourses and farmlands would increase the potential likelihood of bats being present within the site area. The cladding on the building however comprises metal sheeting, which includes a lack of potential roosting features for bats and therefore officers are satisfied that the risk of roosting bats being present in the building is sufficiently low and would not require further assessment. Officers are therefore satisfied that the development would not result in harm to protected species as a result of the proposed works and there would be no conflict with Policy G2 of the Oxford Local Plan.

Other Matters

- 10.11. The building is sited a significant distance from any neighbouring properties and therefore the works proposed are considered to have no adverse impacts on the amenity of any surrounding residential dwellings, or other land uses and therefore the proposals would not conflict with Policy RE7 of the Oxford Local Plan.

- 10.12. No changes are proposed to the site access or parking provision and the proposals are therefore compliant with Policies M1 and M3 of the Oxford Local Plan.
- 10.13. The application site is located in Flood Zone 1 and is considered to be at a low risk of flooding. The only additional footprint would consist of the new entrance lobby and it is considered that the proposals would not increase the risk of flooding and therefore the development would comply with Policies RE3 and RE4 of the Oxford Local Plan.
- 10.14. Given the limited scope of intrusive works, officers consider that an intrusive site investigation for land contamination would not be necessary. The proposals would be subject to a condition requiring that any contamination is reported, alongside the submission of an adequate remediation and verification scheme to comply with the requirements of Policy RE9 of the Oxford Local Plan.
- 10.15. The overall scope of changes are considered to not have any adverse health implications and officers concur with the applicant's assessment that the proposal would be either neutral or broadly beneficial when measured against the relevant health outcomes specified in the Health Impact Assessment outlined in the planning statement. The proposals therefore comply with Policy RE5 of the Oxford Local Plan.

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.
- 11.2. The NPPF recognises the need to take decisions in accordance with Section 38 (6) but also makes clear that it is a material consideration in the determination of any planning application (paragraph 2). The main aim of the NPPF is to deliver sustainable development, with paragraph 11 the key principle for achieving this aim. The NPPF also goes on to state that development plan policies should be given due weight depending on their consistency with the aims and objectives of the Framework. The relevant development plan policies are considered to be consistent with the NPPF.
- 11.3. Therefore in conclusion it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.
- 11.4. The proposals are considered to enhance the appearance of the existing building consistent with Policy DH1 of the Oxford Local Plan and would modernise the existing building, improving its usability for future occupiers, consistent with its existing employment use and would therefore comply with Policies E1 and SP7 of the Oxford Local Plan. There are considered to be no

adverse implications in respect of the amenity of any surrounding uses, transport impacts; or environmental impacts including the risk of flooding or land contamination.

- 11.5. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out in section 12 below.

12. CONDITIONS

Time Limit

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Approved Plans

2. 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.

Materials as Proposed

3. The materials to be used in the new development shall be as specified in the approved plans and the accompanying Design and Access Statement. There shall be no variation of these materials without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory visual appearance of the new development in accordance with Policy DH1 of the Oxford Local Plan 2016-2036.

Contamination

4. Any contamination that is found during the course of construction of the approved development shall be reported immediately to the local planning authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason- To ensure that any soil and water contamination is identified and adequately addressed to ensure the site is suitable for the proposed use in accordance with the requirements of policy RE9 of the Oxford Local Plan 2016 –

2036.

13. APPENDICES

- **Appendix 1 – Site location 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.