

Case Officer: Bernadette Owens

Applicant: Tritax Symmetry Bicester 2 Ltd

Proposal: Full planning application for 4,635sq. m of logistics floor space, within Class B8, including ancillary Class B1 (a) office, (592sq.m), a customer collection facility (112 sq.m), staff mess pod (142 sq.m), and associated infrastructure including external service yard, lorry, van and staff car parking, re-fuelling facility, fencing, landscaping, storm water drainage and private sewage treatment plant, with an access road off Morrell Way

Ward: Bicester South And Ambrosden

Councillors: Cllr Nick Cotter; Cllr Dan Sames; Cllr Lucinda Wing

Reason for Referral: Major development that is a departure from adopted development plan.

Expiry Date: 22 May 2020

Committee Date: 21 May 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT

Proposal

The application seeks detailed planning consent for a 4,635sqm of class B8 development, comprising a parcel distribution centre to facilitate the relocation and expanded operation of DPD Group UK Ltd within Bicester.

Consultations

The following consultees have raised **objections** to the application:

- Blackthorn Parish Council, Ambrosden Parish Council, OCC Highways

The following consultees have raised **no objections** to the application:

- CDC Planning Policy, CDC Ecology, CDC Environmental Health, CDC Landscape Services, OCC Drainage, OCC Archaeology

Planning Policy and Constraints

The application site lies adjacent to but outside of the CLP 2031 Part 1 Bicester 12 policy allocation on an area of relatively flat agricultural land.

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

Conclusion

The key issues arising from the application details are:

- Principle of Development
- Design, and impact on the character of the area
- Ecology impact

- Heritage impact
- Transport and highway impact
- Flood Risk and Drainage
- Energy Efficiency and Sustainability
- Planning Obligations

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located to the south east of Bicester town centre and north of the village of Ambrosden. The site extends to 5.14 hectares and comprises an extension to the existing Symmetry Park development which is directly adjacent to the A41. The site adjoins the southern edge of the wider South East Bicester strategic local plan allocation.
- 1.2. The application site is currently agricultural land which is mainly flat with access through the Symmetry Park development from the A41. The site is well defined along its boundaries by existing hedgerows and mature trees. Open agricultural land currently lies to the north of the site, although this will eventually come forward for development as part of the strategic allocation for South East Bicester under Policy Bicester 12 also known as Wretchwick Green.
- 1.3. Beyond the site to the east, separated by a field is a recycling and car breakers yard and the Bicester Caravan and Leisure Park including two residential dwellings 'The Bungalow' and 'Windmill Cottage'.

2. CONSTRAINTS

- 2.1. The application site is relatively flat and is not subject to any landscape designations. Stratton Audley Quarries lies to the north and Long Herdon Meadow lies to the east of the site, both are sites of geological interest located over 4km from the application site.
- 2.2. To the north, within the Wretchwick Green site, lies the Wretchwick deserted medieval village scheduled ancient monument and listed buildings at Wretchwick Farm are located to the southwest on the opposite side of the A41.
- 2.3. Arncott Bridge Water Meadows (SSSI) is situated over 2.5km to the south east of the site and the Meadows NW of Blackthorn Hill Local Wildlife Site is approximately 500m to the northeast within the Bicester 12 allocation.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks detailed planning permission for a single B8 unit comprising 4,635sqm of logistics floor space with ancillary office to accommodate a parcel distribution depot to be operated by DPD Group UK Ltd. The building proposed

would be much smaller than those already consented and constructed on the Symmetry Park site but would have a similar external appearance.

- 3.2. Vehicle access is taken from the A41 through the existing Symmetry Park development and the proposals include a large service yard with lorry and van parking situated around the building. Service/delivery bays are located on all sides of the building and the building is located centrally within the site. Staff and visitor car parking is located in the northern part of the site.
- 3.3. The proposed distribution depot is required out of a direct need for DPD, already located in Bicester, to expand and maintain their logistics base whilst retaining and increasing their current workforce in the town.
- 3.4. The proposals include a substantial landscaping scheme which comprises the retention and enhancement of the existing established hedgerows around the site, the retention of existing trees, and the planting of further trees including Beech and Oak and the addition of native structural planting around the site.

4. RELEVANT PLANNING HISTORY

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
15/02316/OUT	Outline - Proposed development of up to 69,677sqm (750,000 sq feet) of logistics floorspace, within Class B8 of the Town and Country Planning use classes order of 1987, with ancillary Class B1(A) Offices, together with associated site infrastructure including lorry parking, landscaping and sustainable drainage with details of means of access included for approval.	Appeal lodged against non-determination but later withdrawn
16/00861/HYBRID	HYBRID – full planning permission for 18,394 sqm of logistics floor space within Class B*, access to A41 and outline planning permission for up to 44,314 sqm of logistics floor space within B8.	Application permitted
18/00091/F	Full planning permission for 14,200sqm of logistics floor space within class B8, including ancillary B1(a) offices (929sqm), erection of security gatehouse, security fence, sprinkler tank and pump house, with an access road and associated site infrastructure including external service yard, lorry parking, landscaping, amenity open space including 10m green corridor with 3m foot path and cycle link to wider Bicester 12 and storm water drainage infrastructure and private sewage treatment plant	Application permitted

5. PRE-APPLICATION DISCUSSIONS

- 5.1. The following pre-application discussions have taken place with regard to this proposal:
- 5.2. A pre-application enquiry was submitted in February 2019 for an extension to the existing Symmetry Park development based on the success of the first phase of its development and a demonstrable demand for further high-quality logistics buildings. The pre-application submission identified a shortfall of employment land now coming forward as part of the Bicester 12 allocation and sought to compensate for this through a second phase of development at Symmetry Park. The site identified comprised of 11.61ha of unallocated land adjacent to the Symmetry Park development proposing up to 3 units of use class B8 development.
- 5.3. Officers noted the case put forward by the applicant but set out that the site was unallocated and should be considered and brought forward through the local plan review. Policy officers identified a significant number of sites already allocated for employment development within the District and concluded that it was too early in the plan period to consider unallocated sites.
- 5.4. Development Management and Policy officers suggested that further information be submitted providing clear justification based on the needs of specific clients and an assessment as to why other allocated sites were not suitable before turning to unallocated sites. Economic Development officers were supportive of the proposals but conscious of the implications for allocated sites.
- 5.5. In November 2019 a further pre-application enquiry was submitted for the erection of a single B8 unit to facilitate use specifically by DPD Group UK Ltd. The submission, on a much smaller site than the previous pre-application proposals, set out the specific requirements of DPD to expand and relocate from their existing depot in Bicester and the submission was supported by a review of employment sites already allocated for employment development through the adopted local plan.
- 5.6. Based on the supporting information submitted and the exceptional circumstances presented by DPD as an existing commercial occupier, already well established in Bicester, planning officers offered support to the proposals subject to detailed justification being provided to support any application.

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 all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **29 April 2020**, although comments received after this date and before finalising this report have also been taken into account. Bicester Town Council were not included in the initially consultation and have subsequently been consulted at a later date. The final date for their comments to be received is 20th May 2020 and any comments they may wish to make will be updated to Committee.
- 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. BLACKTHORN PARISH COUNCIL: **objection** for the following reasons: unidentified need; inadequate consideration of impacts from noise; pollution risk from re-fuelling facility; light pollution; traffic impact.
- 7.3. AMBROSDEN PARISH COUNCIL: **objection** for the following reasons: premature in advance of the commencement of development on the larger part of the Bicester 12 site; other sites are available and should be considered first (at Bicester 2 and Bicester 11 and Bicester 4 and Bicester 10); inadequate justification to depart from local plan.
- 7.4. Should the Council be minded to approve the application, the Parish Council request a number of conditions and legal obligations be secured as follows; legal obligation tying the proposed development to DPD as a user; bus stops on A41 being brought into operation; financial contribution towards improvements to the Ploughley Road junction with the A41; the submission of a construction management plan; opening up of cycleway within the site.
- 7.5. BICESTER TOWN COUNCIL: comments awaited.

CONSULTEES

- 7.6. CDC PLANNING POLICY: **no objection**
- 7.7. CDC ECONOMIC DEVELOPMENT: **no comments received**
- 7.8. CDC ENVIRONMENTAL HEALTH: **no objection**
- 7.9. CDC ECOLOGY: **no objection** – the submitted ecological appraisals are sufficient in scope and depth and the recommendations with regards to mitigation can be conditioned (LEMP and CEMP for biodiversity).
- 7.10. CDC LANDSCAPE SERVICES: **comments made** – in order to mitigate the harm on landscape and visual receptors, native woodland planting to the north western corridor (between the building and the boundary of the site) is required.
- 7.11. CDC ARBORICULTURE: **no comments received**
- 7.12. CDC BUILDING CONTROL: A building regulations application will be required supported by a Fire Engineers Design Statement and Disabled Access Statement.
- 7.13. OCC HIGHWAYS: **objection** – the number of car parking spaces proposed is significantly above the county council's maximum standards. This will serve to encourage car travel to the site above other modes.
- 7.14. Further information has been submitted by the applicant to OCC Highways to justify the levels of car parking required. On this basis, OCC anticipate that they will be able to remove their objection. A formal response is awaited and will be updated to Committee.
- 7.15. OCC DRAINAGE: **no objection**
- 7.16. OCC ARCHAEOLOGY: **no objection**

7.17. BBO WILDLIFE TRUST: **no comments received**

7.18. CPRE: **no comments received**

7.19. ENVIRONMENT AGENCY: **no comments to make**

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 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1: Presumption in favour of sustainable development
- SLE1: Employment development
- SLE4: Improved transport and connections
- BSC2: Effective and efficient use of land
- ESD1: Mitigating and adapting to climate change
- ESD2: Energy hierarchy and allowable solutions
- ESD3: Sustainable construction
- ESD4: Decentralised energy systems
- ESD5: Renewable energy
- ESD6: Sustainable flood risk management
- ESD7: Sustainable drainage systems
- ESD8: Water resources
- ESD10: Biodiversity and the natural environment
- ESD13: Local landscape protection and enhancement
- ESD15: Character of the built environment
- ESD17: Green Infrastructure
- BICESTER 12: South East Bicester
- INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C8 - Sporadic development in the open countryside
- C28 – Layout, design and external appearance of new development

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Planning Obligations SPD (February 2018)
- Conservation of Habitats and Species Regulations 2017

8.4. Council Corporate Priorities

Cherwell District Council's Business Plan for 2019-20 sets out the Council's three strategic priorities which form our overarching business strategy. Below these are the key actions for the year 2019–20. This is a strategy which looks to the future taking into account the priorities and aspirations of the communities who live and work in the district.

The three corporate priorities are to ensure the District is "Clean, Green and Safe", that it supports "Thriving Communities & Wellbeing", and is a District of "Opportunity & Growth". All three priorities are of significance to the determination of planning applications and appeals. Below these priorities, the key actions which are of most relevance to planning applications and appeals are: (1) deliver the Local Plan; (2) increase tourism and increase employment at strategic sites; (3) develop our town centres; (4) protect our built heritage; (5) protect our natural environment; (6) promote environmental sustainability; (7) promote healthy place shaping; (8) deliver the Growth Deal; (9) delivery innovative and effective housing schemes; and (10) deliver affordable housing.

The remaining key actions may also be of significance to the determination of planning applications and appeals depending on the issues raised.

The above corporate priorities are considered to be fully compliant with the policy and guidance contained within the National Planning Policy Framework and National Planning Practice Guidance.

9. APPRAISAL

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

- Principle of development
- Design, and impact on the character of the area
- Ecology impact
- Heritage impact
- Transport and highway impact
- Flood Risk and Drainage
- Energy Efficiency and Sustainability
- Planning Obligations

Principle of Development

Policy Context

- 9.2. Policy Bicester 12 of the CLP 2031 Part 1 allocated a 155 hectare site to the southeast of Bicester for strategic development to include a mix of uses including employment and residential development to enable the delivery of important infrastructure to support wider proposals for the town. The policy sets a maximum of 1,500 homes providing a mix of dwellings including 30% affordable housing and 40 hectares of employment land creating approximately 3,000 jobs primarily within use class B8.
- 9.3. Policy SLE1 of the CLP 2031 Part 1 applies to B use class employment development. The policy seeks to protect existing employment sites and focus employment development within the built-up area of Bicester and supports the requirement for employment development as set out in policy Bicester 12.
- 9.4. Detailed planning consent is sought for commercial development falling within use class B8 in accordance with the aspirations of Policy Bicester 12. However, whilst it

is closely related to the Bicester 12 allocation, the application site lies outside of the boundary of the policy allocation and as such the proposed development is not consistent with local plan policy. The application has been advertised as a departure from the Local Plan.

DPD Background

- 9.5. DPD is one of the UK's leading domestic carriers and employs over 13,000 people in the UK, operating more than 8,700 vehicles from 65 locations around the country, delivering over 230 million parcels a year. The domestic parcel industry has grown significantly in recent years, only around 12% of parcels were delivered direct to home addresses ten years ago, DPD figures show that this has risen to 53% in recent years and is growing.
- 9.6. DPD's transport operations are zero carbon with plans for phasing in new electric vehicles into their delivery fleet with 10% of delivery vehicles being electric in 2020.
- 9.7. DPD located in Bicester and committed investment to a base here, four years ago with a business plan to establish a logistics and management structure as well as a customer base. As the majority of DPD deliveries are to domestic households, the company's growth strategy focuses on housing growth areas such as Bicester. The existing DPD depot is located in Bicester Commercial Park where DPD are currently operating out of a unit comprising 2,787sqm. The existing depot currently operates 7 days a week and employs around 34 members of staff.
- 9.8. Based on the predicted growth of the business over the next 25 years, larger premises will be required by DPD that can accommodate a floor area of around double the size with an increase in staff numbers to around 200 members of staff once the depot is at full capacity in around 2023-2025.
- 9.9. DPD are therefore looking to vacate their existing premises (a break clause in their current lease means they will need to vacate their current premises by February 2021) and have been seeking alternative distribution/warehouse sites within Bicester that would meet their needs and their critical occupation deadline of early 2021.
- 9.10. Fundamental to DPD's search is not only the time critical nature of the relocation but also the size and layout of the site. The DPD operation requires a circular distribution route around the depot building. To facilitate this, the building is situated centrally within the site with service yard and lorry/van parking extending to all sides of the unit. The application site has been identified as being available and deliverable to meet the operational needs of DPD and the occupation deadline of early 2021.
- 9.11. The applicant has put forward that they would be willing to enter into a Unilateral Undertaking with the Council to ensure that development would not commence on Site until a lease agreement has been signed with DPD, so that the site could only be brought forward to meet their specific needs and would not become a speculative scheme.

Assessment

- 9.12. As set out above, the application has been submitted to meet the specific and bespoke needs of DPD in order to retain their operational base in Bicester. However, the application site identified by DPD for development lies outside of the built-up limits of Bicester and whilst it is adjacent to the Bicester 12 allocation, it is not allocated for development. As such the proposed development is not in strict

accordance with the development plan, which seeks to focus development within the built-up limits of existing towns or within strategic allocations.

9.13. The site is therefore being put forward by the applicant as an 'exception site' and the Council is being asked to consider allowing a departure from the local plan to accommodate their exceptional requirements. To support the application, the applicant has undertaken a site search to demonstrate that there are no other sites available and suitable to accommodate its operational requirements within the timeframe set.

9.14. The site search and assessment identified the following strategic sites and has discounted those sites for the reasons given;

- North West Bicester – Policy Bicester 1

Phase 1 of the employment development on Bicester 1 includes 5 large scale and 8 small scale units. The layout and scale of these units will not accommodate the DPD operation. DPD explored the suitability of remaining land to the northwest of the allocation, this was also discounted as the size and shape of the land would not accommodate the service yard and circular distribution route requirements of DPD.

- Graven Hill – Policy Bicester 2

Current phasing for the delivery of the employment sites on the Graven Hill development is dependent on a current outline planning application and the transfer of the land to the developer. Subsequently, reserved matter applications will have to be submitted and approved and strategic infrastructure delivered before development can commence and be occupied. The timescales for this will not meet the DPD occupation deadline.

- Bicester Business Park – Policy Bicester 4

Site not assessed as the allocation is for B1(a) office development not B8.

- Bicester Gateway – Policy Bicester 10

Site not assessed as the allocation is for B1 development not B8.

- North East Bicester – Policy Bicester 11

The employment development on this site has been built out and there are no available units.

- South East Bicester – Policy Bicester 12

Wretchwick Green - whilst the site has a resolution to grant planning permission (subject to S106) this has not yet been issued. Subsequently, reserved matter applications will have to be submitted and approved and the internal infrastructure delivered before development can commence and be occupied. The timescales for this will not meet the DPD occupation deadline and will likely take several years to deliver.

Symmetry Park - the existing Symmetry Park development forms part of the Bicester 12 allocation. Detailed planning consent has been granted for Unit B and Unit C on the site and Unit B has been built out and the developer is already in talks with a potential occupier for Unit C. The layout of these units would not suit the operational requirements of DPD and the size of both units are also too large.

Job Creation

- 9.15. Policy Bicester 12 identified 40ha of employment land within the strategic allocation for B1, B2 and B8 use, promoting the creation of 3,000 jobs. Subsequently, the existing Symmetry Park development came forward separately from the remainder of the allocation and has delivered 16.49ha of employment development. In considering the currently pending planning application for the remainder of the Bicester 12 allocation, it was resolved to accept a reduction in the provision of employment land to 6.66ha to address heritage and flood risk matters and was considered acceptable on the basis of a higher proportion of B1 jobs being brought forward on the Wretchwick Green site. This results in a total of 23ha across the Bicester 12 policy allocation.
- 9.16. This reduced employment provision will deliver approximately 60% of the employment requirement of Policy Bicester 12. There is therefore likely to be a shortfall in the number of jobs delivered on the Bicester 12 site compared to the local plan requirement, although this could be expected to some degree given the policy requirement for primarily B8 use.
- 9.17. The additional jobs created by the DPD operation at this location provides an opportunity to redress this balance albeit marginally.

Conclusion

- 9.18. Whilst the proposed development falls outside of the CLP 2031 Part 1 policy Bicester 12 allocation, it is considered that the development of this site is well related to the allocation and would assist in achieving the wider economic objectives of the development plan in a sustainable location. The applicant is an established commercial operation within Bicester requiring larger premises to expand its base in the town providing additional local employment opportunities.
- 9.19. The application site is located close to the built-up area of Bicester and with the ongoing residential development of Graven Hill and the further residential development at Wretchwick Green, the proposed development site would be sustainably located close to existing and future bus links and walking and cycling networks. The application site would represent a logical extension to the development of the Bicester 12 strategic policy allocation and would be well related to the existing uses without adverse impact to amenity.
- 9.20. It is considered that satisfactory justification to discount other allocated strategic sites within the town has been submitted to support the application and that the development would not undermine the employment strategy of the local plan or the delivery of allocated employment sites within the District. The submitted application has demonstrated and justified the specific requirements and exceptional circumstances of DPD and the applicant has agreed to enter into a planning obligation so that the development would only come forward to facilitate the delivery of their expanded operation in Bicester and would not become a speculative development.
- 9.21. The premises vacated by DPD on the Bicester Commercial Park are considered to be modern and attractive and are not expected to remain empty once vacated by DPD.
- 9.22. The principle of the proposed development is therefore considered to be acceptable. Whilst the application site lies outside of the policy Bicester 12 allocation, it is considered that the proposals should be considered with regard to the requirements

of the policy, to achieve a cohesive development of this area in accordance with the wider objectives of the Local Plan.

Design and impact on the character of the area

Policy context

- 9.23. Policy Bicester 12 requires commercial buildings to have a high quality design and finish with careful consideration given to layout, architecture, materials and building heights to reduce the overall visual impact of development. A well designed approach to the urban edge is also required.
- 9.24. Policy ESD15 of the CLP 2031 Part 1 requires new development to respect its context and take the opportunities available to improve the character and appearance of the area and the way its functions. These development plan policies are consistent with national planning policy in the NPPF which places great weight on the importance of good design achieving sustainable development.

Assessment

- 9.25. The application proposals have been developed to meet the specific needs of DPD and their operational requirements. The proposed use is a parcel distribution centre and the layout comprises of a single unit with floor space of 5,470sqm. The building is rectangular in shape and includes 4,635sqm of warehousing, 846sqm of offices, staff welfare facilities and a customer collection point. The maximum roof height of the building is 12.5m to the ridge
- 9.26. Whilst the site is a generous size the proposed building itself is modest in comparison to the adjacent development at Symmetry Park and would be viewed in the context of these much larger buildings on the urban edge of Bicester. Although the building and development of the site are proposed to meet the specific needs of DPD, the external appearance of the building follows the general design principles of the main site and the design of the building and materials used, are in keeping with and maintain the high quality approach to the existing Symmetry Park development.
- 9.27. Surface finishes within the development will also be in keeping with the existing Symmetry Park development comprising block paving to the circulation areas within the staff and visitor car park with asphalt parking bays and Marshalls paving to pedestrian areas around the car park and the front of the building.
- 9.28. Boundary fencing to the site is incorporated for site security utilising Paldin mesh fencing with galvanised steel posts to be coloured dark green to match the existing Symmetry Park development. The substantial existing hedgerows and mature trees already well established along the site boundaries will be retained and enhanced through further native structural planting.
- 9.29. The visual impact of the development has been considered through the submission of a Landscape and Visual Impact Assessment. It is noted that the rural character of the site and its landscape context is degraded in part by the visual intrusion of urban elements, including the commercial built form to the south of the site and that the influence of the urban edge of Bicester will be increased further in the future when development is brought forward on the adjacent Wretchwick Green site. The development of the strategic site allocation at Bicester 12 will have the effect of increasing the prominence of built development in views from the application site, fundamentally changing the character of the immediate landscape context and strongly influencing the character of the site.

- 9.30. The landscaping proposals for the site have been designed to 'soften and filter views' of the development and enhance biodiversity. Specifically, proposed tree planting is proposed to reinforce existing trees around the perimeter of the site and would be strategically placed to enhance views into and out of the site. Structural planting and landscape bunds within the site boundary will also buffer the proposed development and assimilate it into the existing landscape.
- 9.31. The Council's Landscape officer has advised that, order to mitigate the harm on landscape and visual receptors, native woodland planting to the north western corridor (between the building and the boundary of the site) is required. The landscape drawings have been amended to address this.
- 9.32. The submitted Design and Access statement sets out that lighting within the site will be set to direct light only where it is required to minimise obtrusive effects, where necessary additional shielding is also proposed. A lighting scheme has been submitted with the application. The Council's Environmental Health officer and Ecology officer have raised no objections to the scheme.

Conclusion

- 9.33. The development proposed is of a scale and design which is in keeping with the existing Symmetry Park development. The landscaping proposals for the site include the retention and enhancement of the established hedgerow boundary to the site and the planting of additional trees to soften views of the development. Ultimately, the visual effects of the development would appear in the context of the existing Symmetry Park development and the future further development of the adjacent Wretchwick Green site. As such the development would appear as a natural extension to the wider development proposals in the area.
- 9.34. The development is therefore considered to be satisfactory in this regard, in accordance with the requirements of policy ESD15 of the CLP 2031 Part 1.

Ecology impact

Legislative context

- 9.35. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.36. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.37. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may

proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.

9.38. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:

(1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?

(2) That there is no satisfactory alternative.

(3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

9.39. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

9.40. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

9.41. Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

9.42. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

9.43. Policy ESD10 of the Cherwell Local Plan 2011-2031 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to

accompany planning applications which may affect a site, habitat or species of known ecological value.

- 9.44. Policy ESD11 is concerned with Conservation Target Areas (CTAs), and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 9.45. Policy Bicester 12 of the CLP 2031 Part 1 requires adequate investigation of, protection of, and management of protected species on the wider site. The policy requires that biodiversity be preserved and enhanced.

Assessment

- 9.46. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are:
- present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development

It also states that LPA's can also ask for:

- a scoping survey to be carried out (often called an 'extended phase 1 survey'), which is useful for assessing whether a species-specific survey is needed, in cases where it's not clear which species is present, if at all
 - an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren't affected at each stage (this is known as a 'condition survey')
- 9.47. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site consists of a managed agricultural land contained by established hedgerow to the boundaries. There are a number of trees close by and in the boundary of the site which would not be affected by proposals. There are no buildings to be removed or altered due to the proposed development.
- 9.48. Having considered Natural England's Standing Advice and taking account of the site constraints it is considered that the site has limited potential to contain protected species and any species present are unlikely to be adversely affected by the proposed development.
- 9.49. The application is supported by an Ecological Appraisal which was informed by a desk study, Extended Phase 1 Survey and detailed species surveys relating to hedgerows, breeding birds, foraging/commuting and roosting bats, badgers, great crested newts, reptiles and butterflies. The surveys confirmed the presence of breeding birds, foraging/commuting and roosting bats and brown hairstreak butterfly.
- 9.50. The landscape proposals for the site provide for the retention and enhancement of habitats within the site to support those existing species identified and to promote biodiversity gain. The boundaries of the site is proposed to be strengthened through new tree and scrub planting to directly benefit bird and bird populations. Areas of wildflower planting have also been proposed to benefit nectar and pollen feeding insects. Seasonal wet areas are also proposed through the inclusion of swales to enhance the local amphibian population, providing an aquatic resource which is not currently present on the site.

9.51. The Council's Ecologist is satisfied that the submitted ecological appraisals are sufficient in scope and depth and the recommendations within them as regards species, measures for avoiding harm and specific mitigation can be conditioned within a full LEMP and a CEMP for biodiversity. The submitted application demonstrated a lack of biodiversity gain proposed on site. The applicant has reviewed their proposals, and this has now been increased to a satisfactory level.

Conclusion

9.52. Officers are satisfied, on the basis of the surveys and assessments submitted with the application and the advice of the Council's Ecologist, that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development, and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

9.53. Reasonable mitigation is proposed to protect and enhance habitats within the site to achieve biodiversity gain which will be secured through the submission of further information prior to determination or by condition. The proposals are therefore considered to be in accordance with the requirements of policy ESD10 of the CLP 2031 Part 1 as well as national planning policy set out within the NPPF

Heritage impact

Policy context

9.54. Paragraph 197 of the NPPF states that: *the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regards to the scale of any harm or loss and the significance of the heritage asset.*

9.55. Policy ESD15 of the CLP 2031 Part 1 sets out that new development proposals should conserve, sustain and enhance heritage assets and ensure that new development is sensitively sited and integrated in accordance with the advice contained in the NPPF and NPPG.

Assessment

9.56. The site is located in an area of archaeological potential along the line of the Roman road from Alchester to Verulamium. The line of this road has been confirmed during archaeological investigations west of the proposed site along with Iron Age and Roman deposits.

9.57. Archaeological evaluation of the site was carried out in January this year. The evaluation revealed little evidence of archaeological activity compared to previous excavations close by and the majority of evaluation trenches revealed no archaeological features. However, a number of features were found and excavated towards the western side of the site consisting of linear gullies and ditches which may possibly indicate the limited continuation of the Iron Age and Roman settlement and enclosures found in previous excavations to the west and to the south of the site.

9.58. The County Archaeologist has accepted the report and findings of the archaeological evaluation and has requested a further phase of archaeological

mitigation in relation to those deposits which were discovered on site. Conditions are recommended to secure the mitigation.

Conclusion

- 9.59. The proposed development would not cause harm to archaeological deposits and a satisfactory scheme of mitigation will be secured through conditions. The proposals are therefore considered to be in accordance with the requirements of policy ESD15 of the CLP 2031 Part 1 as well as national planning policy set out within the NPPF

Transport and highway impact

Policy Context

- 9.60. Policy SLE4 of the CLP 2031 Part 1 requires that new developments maximise opportunities for access to sustainable modes of travel and seeks improvements to the highway network to mitigate significant adverse impact of traffic generation resulting from new development.
- 9.61. Policy Bicester 12 of the CLP 2031 Part 1 requires that development is well integrated, with improved sustainable connections between the existing development and new development on the site. It requires that new footpaths and cycleways should be provided for that link to existing networks in the wider area.

Assessment

- 9.62. The application is submitted in detail with access taken from the A41 through the existing Symmetry Park development. Access into the site is proposed through the existing field access with internal access roads leading to the service yard and the separate staff and customer car parking area. It is proposed to extend the existing 3m wide footpath/cycleway within the existing development to link into the site and a further connection is proposed on the northern boundary of the site to provide a pedestrian and cycle link into the Wretchwick Green development.
- 9.63. The application includes significant areas of parking and servicing commensurate with its use as a parcel distribution depot including 178 car parking bays; 157 van parking bays and 18 HGV parking bays. Electric charging points are to be provided within the car parking and service yard areas providing 10no. car charging bays and 20no. van charging bays. Cycle parking is provided within covered shelters at the front of the site.
- 9.64. The site operates around the main depot building which is situated centrally within the site to facilitate the circular distribution route around the building with lorry and van parking extending on all sides of the unit. There are 30 van docking stations and 11 HGV docks.
- 9.65. The DPD operation includes a range of jobs such as general managers and administrative staff, shift managers, depot operatives and drivers. Depot operatives and drivers follow a three shift pattern which spreads journeys to and from the site from early morning in to evening. The amount of parking and the arrangement of shift patterns ensures that sufficient parking is also available to prevent the potential for any on-street parking.

Traffic Impact

- 9.66. The planning application is accompanied by a Transport Statement (TA) and the approved Framework Travel Plan for the existing Symmetry Park site will be used as

a basis for developing a site specific Travel Plan for DPD. The site is considered to be in a sustainable location and within easy access of the local workforce.

- 9.67. The TA sets out that the development is unlikely to lead to a severe detrimental impact at the site access junction and it is accepted that the development is unlikely to lead to severe impacts elsewhere on the highway network. However, traffic generated from additional development at the Symmetry Park site will add to cumulative traffic growth in Bicester and strategic transport improvements are required in order to accommodate the level of planned growth. A proportionate contribution is therefore sought towards the South East Perimeter Road which will provide an improved connection between the site and the M40 (J9).
- 9.68. A proportionate public transport contribution is also sought in order to enhance the bus service to the site during key working hours.

Parking

- 9.69. The County highway officer has raised an objection to the 178 staff and visitor car parking spaces proposed, being vastly above the maximum provision set out in the County Council's parking standards. Highway officers set out that, appropriate parking standards are recommended for all new developments to balance demand and the need to simultaneously encourage alternative travel choices and it is considered that the level of parking provision proposed could encourage employees to drive to work and not take advantage of other more sustainable modes of transport. The maximum recommended provision for a B8 development of this floor area is of 27 car parking spaces. This would clearly be unrealistic when considering the operation and requirements of DPD as set out in the application.
- 9.70. DPD has set out its business expansion plans in Bicester to support the application, clearly highlighting an aspiration to increase the number of employees at the Bicester depot from its existing workforce of 35 employees up to 200 employees between 2023-2025. The amount of car parking included in the scheme is a direct result of the operational requirements of the DPD Group Ltd and its business growth strategy. It is set out through the Transport Assessment that many staff currently commute to and from the site in DPD delivery vans and as such lower levels of car parking would likely serve the needs of the business. However, DPD has a commitment to substantially increasing the use of electrical vehicles within its LGV fleet and electrical charging points are included as part of the current application for 20no. vans and ducting for additional future charging points is being provided within the service yard. Vans will need to be stored on site for charging and security and employees will no longer be given the option to use the vehicles for commuting. Additional staff parking is therefore required.
- 9.71. Whilst a shift pattern is operated by DPD Group which could alleviate the need for high levels of car parking, the current shift pattern includes some overlap, with all drivers arriving for a shift between 6.30am, 7am and 7.30am. There would also be further overlap with the depot operative shift patterns overlapping with the drivers shift times. DPD have set out that the number of parking spaces included within the proposed development is a response to the shift arrangements and to ensure that the proposed depot use will not result in any overspill car parking on the highway.
- 9.72. There is clearly a need to balance the potential economic and employment benefits of the proposals against the requirements to promote sustainable modes of transport. The site lies within a sustainable location adjacent to the Bicester 12 strategic policy allocation and would be within easy reach of bus services and walking and cycling routes. A contribution is to be secured towards enhancing bus service provision to support the shift patterns proposed and a Travel Plan will also

be agreed with the County Council to encourage reduced reliance on the use of private cars in favour of other modes of transport.

- 9.73. On this basis, planning officers would not wish to recommend withholding planning consent and consider that there is a reasonable prospect that a solution could be secured to address the objections of the local highway authority and meet the needs of DPD Group. Further discussions are taking place with OCC and the applicant to secure further information and solutions on this matter and an update will be provided to Committee.

Conclusion

- 9.74. The site lies within a sustainable location adjacent to the Bicester 12 strategic policy allocation and would be within easy reach of bus services and walking and cycling routes. Whilst there is an objection to the application in respect of proposed car parking provision, it is considered that a solution could be secured to balance the operational requirements of the site with the need to maximise access by sustainable modes in accordance with the requirements of policies SLE4 and Bicester 12 of the CLP 2031 Part 1 as well as national planning policy set out within the NPPF.

Flood Risk and Drainage

Policy context

- 9.75. The NPPF states at paragraph 163 that *when determining applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.* Paragraph 165 also requires that *major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.*
- 9.76. Policies ESD 6 and ESD 7 of the CLP 2031 Part 1 together resist new development where it would increase flood risk or be unduly vulnerable to flooding. They also seek to ensure that the proposals incorporate sustainable drainage systems in order to prevent increased risk of flooding.

Assessment

- 9.77. The site lies within Flood zone 1. A Drainage Strategy Report has been submitted with the application which addresses flood risk and drainage. OCC Drainage engineers are satisfied that the submitted Strategy is acceptable subject to the inclusion of a flood extent pump failure plan and 50% extra storage capacity provision on site in the event of pump failure. This information has been provided to OCC engineers and will be included in an amended Drainage Strategy Report so as to avoid the need for a pre-commencement condition to secure this.

Conclusion

- 9.78. The proposals are considered to be satisfactory in this regard, in accordance with the requirements of policy ESD6 and ESD7 of the CLP 2031 Part 1.

Energy Efficiency and Sustainability

Policy context

- 9.79. Policy ESD 5 of the CLP 2031 Part 1 requires new commercial development of over 100sqm floorspace to provide for significant on-site renewable energy provision

unless robustly demonstrated to be undeliverable or unviable. Policy ESD 4 of the CLP 2031 Part 1 also requires a feasibility assessment to be carried out for such developments to determine whether Combined Heat and Power (CHP) could be incorporated.

- 9.80. Policy ESD 3 of the CLP 2031 Part 1 also requires that all new non-residential development shall meet at least BREEAM 'Very Good' standard.

Assessment

- 9.81. A Sustainability Statement has been submitted to support the application which addresses how the development will seek to comply with policies ESD1 – 5 of the CLP 2031 Part 1 and the achievement of BREEAM 'Very Good' standard. With the current emphasis on energy conservation and the use of low and zero carbon technology, the submitted statement sets out the applicant's aspirations to maximise the sustainability credentials of the development.
- 9.82. The construction of the building is proposed to be based on low energy design principles which involves energy demand minimisation through effective building form, orientations, envelope design and proficient use of serviced. The building design will reduce energy usage through the inclusion of features such as roof lights to increase natural daylight to the warehouse floor and reduce the need for lighting during daylight hours. The air tightness of the building will also be improved to ensure the heating demands of the building are reduced.
- 9.83. Options for renewable energy within the site have been assessed within the submitted Statement and it is proposed that Solar Photovoltaic (PV) Panels will be installed to cover 25% (517sqm) of roof space and Air Source Heat pumps are to be installed to office areas within the building for heating/cooling.
- 9.84. In addition, and to support DPD carbon neutral targets for their delivery fleet, electric charging points are proposed within the staff and visitor car park and within the service yard totalling 10no. car charging bays and 20no. van charging bays with additional ducting in place to expand this capacity in the future.

Conclusion

- 9.85. Subject to the imposition of suitable conditions requiring compliance with the submitted Sustainability Statement, Planning Officers are satisfied that the proposed development will achieve sustainability through construction, be energy efficient and utilise renewable energy in accordance with the requirements of policies ESD 3, ESD 4 and ESD 5 of the CLP 2031 Part 1

Planning Obligations

- 9.86. Policy INF1 of the CLP 2031 Part 1 requires that development proposals demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.
- 9.87. Where a development would give rise to potential adverse on and off-site impacts, it is sometimes necessary for mitigatory infrastructure or funding to be secured through a planning obligation (S106 agreement). Obligations within a S106 agreement must meet statutory tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Where planning obligations do not meet the statutory tests, they cannot be taken into account in reaching a decision.

9.88. Officers have had regard to the statutory tests in considering the application and recommend that the following items be secured, in the event that planning permission is granted, in order to mitigate the impact of the proposed development;

Contribution	Amount £	Price base	Index	Towards (details)
Strategic Transport Contribution	£85,736.28	October 2015	Baxter	Strategic Transport Infrastructure improvements outlined under Policy BIC 1 of the Local Transport Plan 4 – South East Perimeter Road, Western Section.
Public transport services	£13,110	May 2016	RPI-x	Enhancements to public transport servicing the site at times suitable for the site's occupiers.
Travel Plan Monitoring	£2,346	December 2019	RPI-x	To enable the Workplace Travel Plan to be monitored for a period of 5 years following occupation.
Highway works	£148,000	April 2020	Baxter	Improvements to cycle facilities along the A41.

9.89. In addition to the above financial obligations, the applicant has also put forward that they would be willing to enter into an undertaking that the proposed development would not commence until a lease agreement is signed with DPD securing them as the occupier of the building. This would need to be secured through a legal undertaking.

9.90. The District Council and County Council will require monitoring contributions to be secured to cover the cost of monitoring and enforcing the obligations within any S106 agreement and the District Council and County Council will also require an undertaking to cover their reasonable legal fees incurred in the drafting of the an agreement.

10. PLANNING BALANCE AND CONCLUSION

10.1. 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 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.

10.2. The application proposes development on a site which is not allocated for development and would not be in accordance with the development plan. However, it is concluded that the benefits that would be brought about as a result of the development of this site, would outweigh the potential harm and that there are other material considerations which on balance outweigh the conflict with the development plan.

10.3. The development is therefore considered to be an acceptable departure from the development plan. Approval is thus recommended subject to conditions and planning obligations.

11. RECOMMENDATION

RECOMMENDATION – **GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW** (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) **AND THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106** OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):

- a) Strategic Transport Contribution - £85,736.28 (index linked)
- b) Public Transport services - ££13,110 (index linked)
- c) Travel Plan Monitoring - £2,346 (index linked)
- d) Highway Works - £148,000 (index linked)
- e) Payment of the District Council and County Council monitoring costs – TBC

And an undertaking that development will not commence until DPD have signed the lease for the site.

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.

2. The development hereby permitted shall be used only for purposes falling within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and for no other purpose(s) whatsoever.

Reason: In order to retain planning control over the use of the site and in accordance with Government guidance contained within the National Planning Policy Framework.

Compliance with Plans

3. The development shall not be carried out otherwise than in complete accordance with the approved plans;

4036-X01-006 P5 Red Line Plan
4036-X01-007 P9 Estate Plan
4036-X01-008 P6 GA - Plans – Areas
4036-X01-010 P6 GA - Elevations & Section
4036-X01-011 P3 GA - Plans - Offices & Mess Pod
4036-X01-012 P4 GA - Roof plan
4036-X01-013 P7 Proposed Site Layout – Planning
4036-X01-014 P8 External finishes plan
4036-X01-015 P7 Parking Details Plan
4036-X01-016 P8 Fencing Details Plan
4036-X01-017 P7 Site Sections

Vehicle Tracking Drawings

10942-HYD-XX-XX-DR-TP-0001-P02
10942-HYD-XX-XX-DR-TP-0002-P02
10942-HYD-XX-XX-DR-TP-0003-P02
10942-HYD-XX-XX-DR-TP-0004-P01
10942-HYD-XX-XX-DR-TP-0005-P02
10942-HYD-XX-XX-DR-TP-0006-P02

Lighting

Dwg no 180971-E-011 P02 External Lighting Layout
Symmetry Park Bicester Warehouse External Luminaire Schedule (version 1)

Landscape and Ecology

edp4813_r001-C-LVA
edp4813_r002-A-Arbicultural Technical Note
edp4813_r008-C-Arbicultural Impact Assessment
edp4813_r007-D-Ecology Appraisal

edp4813_d022-H-Detailed Landscape Design.
edp4813 - BIA 19032020-1.4-
edp4813_d027c Illustrative Landscape Strategy

Sustainability

Sustainability Statement for Planning - Rev C 180971
PV report P03 CPW-ME-180971-P01

Surface Water Drainage

Flood Risk Assessment 10942-HYD-XXX-XXX-RP-FR-0002.
C-10942-RP-001_ 4 Symmetry Park Bicester Drainage Strategy Report-[FINAL]

Pump Failure surface Water Storage C-10942-TN-001 P1
C-10942-HYD-00-ZZ-DR-C-7012 – P3 Surface water flood extents
C-10942-HYD-00-ZZ-DR-C-7016 – P1 Surface water flood extents during pump failure
C-10942-HYD-00-ZZ-DR-C-7017 – P1 Additional surface water storage in case of pump failure

C10942-HYD-00-ZZ-DR-C-7005_External Levels_P6

Ground Conditions

10942-HYD-XX-XX-RP-GE-0001-P02-S2_Land_adj_Symmetry_Park_Unit_D (1)

Air Quality

BID-HYD-XX-ZZ-RP-Y-2101_P01 Air Quality Report

Noise Assessment

DPD-HYD-ZZ-XX-RP-Y-1001-P02 DPD Bicester Noise Assessment

Transport

Transport Statement 10942-HYD-XX-XX-RP-TP-4001-P03

Archaeology

edp4813_r004-A-Archaeological and Heritage Assessment
Archaeology Evaluation WFBO3_EV_MK202_20_V3

Design and Access Statement

Planning Statement

unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Reason – To clarify the permission and for the avoidance of doubt.

Conditions with which the development must comply

4. No development shall take place until the existing trees and hedgerows to be retained have been protected in the following manner unless otherwise previously agreed in writing by the Local Planning Authority;
 - a) Protective barriers shall be erected around the tree(s) to a distance not less than a radius of 12 times the trunk diameter when measured at 1.5m above natural ground level (on the highest side) for single stemmed trees and for multi-stemmed trees 10 times the trunk diameter just above the root flare.
 - b) The barriers shall comply with the specification set out in British Standard BS5837:2012 'Trees in Relation to Construction – Recommendations' that is steel mesh panels at least 2.3m tall securely fixed to a scaffold pole framework with the uprights driven into the ground a minimum of 0.6m depth and braced with additional scaffold poles between the barrier and the tree[s] at a minimum spacing of 3m.
 - c) The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development [and / or demolition] and shall be maintained until all equipment, machinery and surplus material has been removed from the site.
 - d) Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply 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. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and 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 current/next planting season with others of similar size and species.

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.

6. No removal of hedgerows, trees or shrubs nor works to, or demolition of buildings or structures that may be used by breeding birds, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

7. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8. The development hereby permitted shall be carried out in strict accordance with the Construction Environmental Management Plan (CEMP) Rev 2 (A&H Construction Development. Plc.) May 2020.

Reason – In the interests of highway safety and to ensure that the environment is protected during construction and protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ENV1 of the Cherwell Local Plan 1996 and Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

9. The development hereby permitted shall be carried out strictly in accordance with the approved Flood Risk Assessment (FRA) dated 14th February 2020 10942-HYD-XXX-XXX-RP-FR-0002 and the Drainage Strategy report C-010942-HYD-XX-XX-RP-001 dated 14th February 2020.

Limiting the surface water run-off to 14l/s (QBAR) for all storm events up to 1 in 100 year +40% climate change event. With the use of below ground attenuation, swales, hydrocarbon interceptor and pumped discharge as described in the Drainage Strategy.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in

writing by the Local Planning Authority.

Reason – To protect the development and its occupants from the increased risk of flooding in accordance with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government advice in Section 14 of the National Planning Policy Framework.

10. The development hereby permitted shall be carried out in strict accordance with the detailed C-10942-RP-001_Symmetry Park Bicester Drainage Strategy Report-[FINAL] dated 14th February 2020 and the Technical Note C-10942-TN-001-Pump failure surface water storage dated 4th April 2020.

Reason - To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, 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.

11. The building hereby approved shall be constructed to at least BREEAM 'Very Good' standard.

Reason - To ensure energy and resource efficiency practices are incorporated into the development in accordance with Policies ESD 1 - 5 of the Cherwell Local Plan 2011-2031 Part 1 and the Government's aim to achieve sustainable development as set out within the National Planning Policy Framework.

Conditions which must be complied with prior to the commencement of development

The applicant is keen to secure a permission without the need to discharge pre-commencement conditions. The application has been supported by detailed plans and by a number of assessments and reports to achieve this. Further reports and additional information are awaited to resolve the following conditions. However, if this information is not received prior to determination of the application, the following pre-commencement conditions will be required.

- Apprenticeship and Training Strategy
- Archaeological Written Scheme of Investigation

If information is submitted to satisfy the above, compliance conditions may be required to be imposed to ensure the development complies with the submitted and approved information.

Conditions which must be complied with prior to occupation

12. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note 'Using the Planning Process to secure Travel Plans' and its subsequent amendments shall be submitted to and approved in writing by the Local Planning authority. The plan shall incorporate site specific details of the means of sharing and encouraging reduced reliance on the use of private cars related to the development in favour of other modes of transport and means of implementation and methods of monitoring. Thereafter the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason – In the interests of sustainability, to ensure a satisfactory form of development and to comply with policies SLE4 and ESD1 of the Cherwell Local

Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

13. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with the approved plan no. 4036-X01-015 P7. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason – In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

14. Prior to the first occupation of the development hereby approved, the footpath/cycleway link to the adjacent Bicester 12 site as indicated on the approved plan no. 4036-X01-013 P7 shall be constructed up to the boundary of the site and thereafter be maintained and remain open for public use without restriction.

Reason – To make provision for future links to the adjacent Bicester 12 development site in the interests of sustainability and cohesive development through the provision of suitable footpath/cycle connections in accordance with Policies ESD 15 and Bicester 12 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

15. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.