

Case Officer: David Lowin

Applicant: Mr Richard Drew

Proposal: Proposed Bicester Health and Wellbeing Hub

Ward: Bicester South and Ambrosden

Councillors: Councillor Cotter, Councillor Sames, and Councillor Wing

Reason for Referral: Major development/Significant departure from adopted development plan or other CDC approved policies/strategies

Expiry Date: 31 January 2022

Committee Date: 13 January 2022

SUMMARY OF RECOMMENDATION: DELEGATED AUTHORITY TO GRANT PERMISSION SUBJECT TO: RE-CONSULTATION ON AN AMENDED REDLINE BOUNDARY PLAN; CONDITIONS; A S106 DEED OF VARIATION TO THE EXTANT S106 TO ADDRESS THE OFF-SITE (BUT STILL WITHIN GRAVEN HILL); BIODIVERSITY MITIGATION; AND A NEW S106 LEGAL AGREEMENT TO PROVIDE AN INCREASED PUBLIC TRANSPORT CONTRIBUTION FOR THE ADDITIONAL PUBLIC TRANSPORT MOVEMENTS TO GRAVEN HILL GENERATED BY THE DEVELOPMENT HEREBY RECOMMENDED FOR APPROVAL

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site lies within part of the Bicester 2 Policy area (which is a residential-led mixed-use scheme including 2,100 dwellings) and comprises a site of approximately 1 hectare. Graven Hill Village is located just south of central Bicester and is currently being developed as a mixed-use site of 241ha comprising 1,900 self-build and contract-build homes, with 26ha for employment uses, a school, community centre, local retail hub and associated facilities.
- 1.2. The application site is currently vacant and located at the northern edge of Graven Hill Village, close to the main entrance junction off the A41 Bicester to Aylesbury road. A Masterplan and Design Code were produced by the overall developer of the strategic allocation, which is the Graven Hill Village Development Company, in 2015 and have been amended since, which are material considerations. The site for this application is located within part of an area identified as "Gateway Park" in the Masterplan, with the area identified as a large wetland habitat.
- 1.3. Originally, former MOD buildings on the site were included within both the application site and adjoining land, but these have now been demolished, including most recently the former boiler house. In addition, as part of the application, two other areas are edged in red adjoining the lower slopes of Graven Hill that are currently open space and will remain so within the Master Plan. Those areas are destined to be improved under this applicant's proposals to mitigate and improve the effect of utilising the health hub site by providing biodiversity net gain elsewhere but nearby on the Graven Hill site.

- 1.4. Topographically, the application site is broadly level with only slight changes in level across the site leading down towards the neighbouring wetland habitat area with its man-made open drainage attenuation pond.
- 1.5. A vehicular access point into the site exists from the north via a single lane track parallel to the A41, which is intended to be maintained and used for construction purposes. There is a separate planning consent submitted by Graven Hill Development Company for the proposed new highway access road to serve the new health & wellbeing hub including a proposed new highway junction to the spine road serving the western part of the overall site. This consent is referenced in the relevant planning history section of this report, planning application 21/00585/REM refers.
- 1.6. The site contains several mature trees, and the applicant has submitted an arboriculture report, which the Councils arboriculture officer has commented upon as set out below. An existing large mature hedgerow is located to the north. running in a west to east direction. which is to be retained and protected.
- 1.7. The proposed building will generally be 3-storeys in height, with a flat roof and parapet. The overall scale and massing would be minimised by sub-dividing the elevations with vertical recesses and changes in materials. The top storey would also be set back from the two-storey element to reduce the overall scale and height, also expressed with a change in materials.
- 1.8. In response to the site location and associated Graven Hill Design Code the proposals comprise:
 - Robust, low maintenance and simple detailing to respect and convey similar qualities to that of the former military architecture associated with Graven Hill;
 - An understated and restrained palette of materials to appear discrete in its rural, natural surroundings and also minimise visual impact upon nearby residential areas, comprising natural stonework, stretcher bond facing brickwork, vertical timber louvres and powder coated aluminium windows, curtain walling and canopy;
 - Respect the character of Gateway Park / Sports amenity area;
 - Facing material predominantly heavy textured masonry brick in light blend of white, blueish grey and pale oolitic limestone colours;
 - Solid two-storey elevations, split into quarters, with a lightweight third floor and a contrasting openness to inner courtyard elevations;
 - Vertically express the entrances, stairs, waiting and sub waiting spaces, and mark the horizontal storey heights and roof parapets with smooth contrasting string courses; and
 - Recessed tall window openings with fixed over-panel and inward opening side lights with louvres for natural ventilation.

2. CONSTRAINTS

- 2.1. The application site is within the Bicester Policy 2 site and is allocated as a major mixed-use development site comprising in total some 241ha of land. The site is also subject to the adopted Master Plan and Design Code for Graven Hill.
- 2.2. Policy Bicester 2, as set out when adopted in 2015, anticipated no on-site requirements for healthcare provision.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application proposes a building of 3,350m² for a new-build primary care, integrated health and wellbeing hub comprising a 2 and partially 3-storey building including pharmacy retail space, plus a new highway access road, cycle access, 223 spaces for car parking, ambulance bay, service bay, mobile medical unit bay, electricity sub-station, waste/recycling store, cycle stores & landscaping.
- 3.2. The hub is designed to facilitate relocation of 4 existing GP surgery premises in the town within a single integrated health facility, including a pharmacy. The application site is located at Graven Hill, Bicester, which is a strategic site allocation in the adopted Development Plan, The Cherwell Local Plan 2011-2031, allocates a mixed-use development including 2,100 houses, employment and associated community and transport services and facilities.
- 3.3. *Timescales for Delivery:* The applicant/agent has advised that, if planning permission is granted, they anticipate development commencing in 2022 and the facility opening by early 2023.

4. RELEVANT PLANNING HISTORY

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

21/00585/REM

Sites B, C, D and E MOD Bicester, reserved matters application to 19/00937/OUT - Proposed details of Western access road.
Approved 30/9/21.

19/00937/OUT

Variation of Conditions 2 (plans), 28 (Phasing) and 29 (Masterplan and Design Code) of 18/00325/OUT - to amend the site wide phasing plan and to include proposed earlier phasing for the employment land. (Original outline reference 11/01494/OUT, amended by 15/02159/OUT.
Approved 03/01/2020.

16/01802/OUT

Outline - Redevelopment of former MOD sites including demolition of existing buildings, development of 1,900 homes; local centre to include a 2-form entry primary school (class D1); a community hall of 660m²; five local shops or facilities to include A1, A2, A3, A5 and D1 uses totalling up to 1,358m²; up to 1,000m² gross A1 uses; a pub/restaurant/hotel (class A4/A3/C1) up to 1,000m² and parking areas; employment floor space comprising up to B1(a) 2,160m², B1(b) 2,400m², B1(c) and B2 20,520m² and B8 uses up to 66,960m²; creation of public open space and associated highway improvement works, sustainable urban drainage systems, biodiversity improvements, public transport improvements and services infrastructure; erection of a 70,400m² fulfilment centre on 'C' site and associated on site access improvement works, hardstanding, parking and circulation areas)
Application approved.

N.B. The above application 19/00037/OUT is the most up to date outline planning consent issued for the wider Graven Hill site and includes the site set out in this report, and 21/00585/REM provides the access details for this submitted application including the Western Spine Road and the access spur to the boundary of the submitted Health Care Hub.

PRE-APPLICATION DISCUSSIONS

- 4.2 Pre-application discussions have taken place regarding this proposal, Reference 19/02788/PREAPP refers.
- 4.3 The result of that Pre application was as follows:
The proposal is on land that currently contributes to the provision of public open space to serve the development, and health care provision is not required on the Graven Hill site. The Local Planning Authority has identified and safeguarded adequate land at the Kingsmere Development site for the provision of health care facilities to meet the needs of Bicester. That site is considered more suitable and sustainable in transport and general planning terms, and unless it is demonstrated that the Kingsmere site cannot be brought forward for healthcare development as planned, it is unnecessary and not desirable to consider alternative locations.
- 4.4 In a subsequent letter dated 27/8/20 to CDC as a consultee of the Pre-application, the Oxfordshire Clinical Commissioning Group (CCG) stated that:
'The practices (who are seeking a new facility) have assessed two possible sites for the development (Kingsmere and Graven Hill) and have identified their preferred site as Graven Hill.'
- 4.5 The change of stance of Officers from the position taken on the PREAPP is fully set out and explained in the Officer assessment of the proposal later in this report.

5. RESPONSE TO PUBLICITY

- 5.1. 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 (amend as appropriate). The final date for comments was **12 July 2021**.
- 5.2. The numbers of comments raised by third parties are set out at the summary section of this report and raise the following matters:
- 5.3. Letters of objection focus on:
- The current design of the Rodney House roundabout that provides access from the A41 to the western part of Graven Hill and via the approved spine road access to the application site. The objections from residents do not object to the proposed application land use or the building but allege highway safety danger emanating from the roundabout access to the overall site at Graven Hill;
 - A letter of comment from a Cherwell resident considers that the development offers the opportunity for incorporation into the building of swift bricks within the proposed building;
 - One of the letters of objection focuses on the need for the site to achieve a net biodiversity gain, and objects to the clearing of conifer trees prior to the application being submitted which are alleged to be roosting sites for raptors. The resident considers that the biodiversity gain should be achieved off site, at a site adjacent to Langford park House.
- 5.4. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

- 6.1. 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

- 6.2. AMBROSDEN PARISH COUNCIL: support the proposal.

MID CHERWELL NEIGHBOURHOOD FORUM: Considers the application is premature and ill-conceived and raises questions about the future of primary care in Bicester and the surrounding villages. They suggest that a more modest-sized development capable of meeting the needs of the existing 4 Practices' current patient populations would be preferable, accepting that some of the existing patients may wish to transfer to the remaining practice in Piggy Lane rather than travel to Graven Hill. The Forum do not see this application meeting the health needs of their residents and would prefer to see a more suitable and localised response to people living in rural areas.

LANGFORD VILLAGE COMMUNITY ASSOCIATION: Fully approve the design, and comment that it would provide an 'amazing modern facility, much needed in Bicester'.

CONSULTEES

- 6.3. OCC HIGHWAYS: Following revised material being submitted and on-going detailed discussions with CDC officers and the applicant on parking provision and support for public transport facilities, OCC Highways raise **no objections** subject to standard conditions in respect of width of the access, vision splays, surfacing and provision of cycle route, drainage and visibility splays, provision for pedestrians, parking numbers, EV points, and the signing of a S106 Agreement, the draft details of which have already been agreed with the applicant. The Heads of Terms of this draft agreement are set out in the Officer recommendation, and relate to the provision of enhanced public transport to the proposed facility.
- 6.4. The original recommendation of opposition of OCC related to their initial response to the application in June but following the extensive discussions undertaken since then, the objection was withdrawn, and the revised response detailed above was received on 7 December 2021.
- 6.5. The comments/ and conditions of OCC are based on the assumption that the immediately adjacent roads are not adopted as public highway prior to this site coming forward which is potentially likely. Should this not be the case, a Section 278 Agreement would be required to construct the proposed access.
- 6.6. OCC LOCAL LEAD FLOOD AUTHORITY: Consider that with the nature of the site and space provided, more SUDS can be utilised on site, which could provide additional water quality before entering the tank system.
- 6.7. OCC ARCHAEOLOGY: **No objection** subject to condition.
- 6.8. OXFORDSHIRE NHS CLINICAL COMMISSIONING GROUP: (OCCG) has been part of the discussions with the GP practices, their chosen developer, and a business case of their intentions has been submitted.
- Considering all the factors associated with this development, the GPs are of the view that the Graven Hill site is their preferred option, and OCCG is willing to support them in this.

- We have noted some factors around patient transport, and the need for patient access to the facility, and are assured by the practice that patient transport will be resolved as they value their patient's attendance.

Therefore, we wish to **support** this planning application and wish for it to be taken forward.

- 6.9. BICESTER BICYCLE USERS GROUP: Following receipt of a revised cycling route amending the originally submitted application via the retained semi-wild area adjacent to the site, BBUG continue to **Object** to the proposal based on:
- Alleged deficiencies of the Rodney House roundabout to cater adequately for cyclists and pedestrians, and the need to facilitate all modes to access this facility;
 - The paths leading to the development are not compliant with LTN 1/20 being shared rather than segregated for cyclists and pedestrians;
 - The revised route for cyclists via the nature park and swale area is unsuitable with its current surfacing and levels for disabled users and of insufficient width for cyclists, however, to make the path compliant with LTN1/20 will result in a tarmac surface with lighting detrimental to the character of this semi-wild area; and
 - Suggestion that a more suitable route from the North towards the A41 would provide a better route for cyclists.
- 6.10. CDC LANDSCAPE ARCHITECT: **Supports** the landscape aims and objectives of the submitted Design and Access Statement. Content to deal with details as part of subsequent discharge of planning condition application(s).
- 6.11. ENVIRONMENTAL HEALTH: **No objections** subject to appropriate planning conditions relating to plant noise, contaminated land, air quality and lighting.
- 6.12 CDC ARBORICULTURE: Initially raised objections to the applicants submitted arboriculture survey and impact assessment. On 10 December 2021 CDC received revisions and clarifications on this matter and reconsulted the Arboricultural Officer, who responded on 17 December 2021 stating that 'The briefing note and amended plans have addressed my concerns with regards to T13' so had **no objection** and recommended an appropriate landscape condition.

7 RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. 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)

- Policy PSD 1 Presumption in favour of sustainable Development
- Policy SLE 4: Improved Transport & Connections
- Policy BSC 8: Securing Health & Well-Being
- Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision
- Policy BSC 11: local Standards of Provision -Outdoor recreation

- Policy ESD 3: Sustainable Construction, Mitigating & Adapting to Climate Change
- Policy ESD4: Decentralised Energy Systems
- Policy ESD5: Renewable Energy
- Policy ESD 7: Sustainable Drainage Systems (SuDS)
- Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment
- Policy ESD 15: The Character of the Built and Historic Environment
- Policy Bicester 2: Graven Hill

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- Policy C28: Layout, design and external appearance of new development

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Graven Hill Master Plan and Design Code
- OCC Walking and cycling strategy for Bicester Area
- OCC design for Streets
- LTN1/20

8. APPRAISAL

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

- Principle of Development Compliance with Policy Bicester 2
- Access and transport
- Ecological Impact & Biodiversity
- Securing health and wellbeing facilities
- The Character of the Built environment
- Heritage
- The Master Plan and Design Code

Principle of Development

Policy Context

- 8.2. The application site falls within a far larger adopted local plan strategic mixed use but primarily residential site. Part of that policy (Bicester 2) notes that there is no need for health care facilities within the site allocation. The Pre-app submitted prior to the submission of the application reiterates that at that time there was no need for healthcare facilities to be situated on the Graven Hill site.
- 8.3. The current land use plan for the development of the wider site is confirmed in Condition 2 of 19/00937/OUT as 1982-A-L-040 AB [Land Use Plan] as Amenity Space This falls within the policy definition of 'General green space (parks and gardens/natural semi-natural/amenity green space)'.
- 8.4. There is a total of 34.94ha Amenity Space shown on the plan, which together with other land meeting the general green space definition (woodland 27.64ha and amenity woods 10.39ha) provides a total of 72.97ha of general green space. The site

area for the application measures 1.06ha, meaning that there is a remaining 71.91ha of general green space.

- 8.5. CLP Policy Bicester 2: Graven Hill allocated the site for 2,100 dwellings though the current consent is for only 1,900. Multiplying the overall allocation of 2,100 dwellings by an average household size of 2.4 people would give a population of about 5,040.
- 8.6. CLP policy BSC11: Local Standards of Provision – Outdoor recreation sets a requirement of 2.74ha per 1000 rural/urban edge dwellers, equating to a minimum requirement of 13.61ha of general green space. Without the inclusion of the application site, there is presently more than five times the amount of general green space required on site.

Assessment

- 8.7. The application site whilst within an area designated for development is potentially contrary to an aspect of that policy, which stipulated at the time the plan was adopted that any necessary provision of healthcare facilities should be situated elsewhere to serve Bicester. However, that Policy at the time did not preclude a healthcare facility on Graven Hill it states it was at that time not needed, Kingsmere being preferred by reason of its relatively better access to transport facilities.
- 8.8. However, the Oxfordshire Clinical Commissioning Group of the NHS after consulting with the GP practices in the town support the decision of those practices to move to the application site. The existing site that is proposed for healthcare at Kingsmere, also an overall strategic allocation in the adopted plan, was rejected by the practices. The status of that site is that it is reserved for healthcare use as part of the overall master plan for Kingsmere, but to date there has been no application for a healthcare use submitted on it nor have negotiations on the site indicated that a health care use is likely to be forthcoming. Instead, the landowners / developers are seeking an assisted living development on the site, alongside a new centre and a pharmacy.
- 8.9. The application site is also currently designated, by virtue of an extant planning consent including a master plan for the wider site, as an area of green space. However, the over provision of green space for the Bicester 2 strategic development as set out above is such that even at the designated number of dwellings in the Policy there is considerable overprovision and even more if the extant consent for the scheme of only 1,900 dwellings is considered.

Conclusion

- 8.10. Whilst the adopted policy Bicester 2 is not fully complied with by the application, as the wording of the policy explicitly notes that the use is not needed on Bicester 2 but is not precluded, the use of the site for healthcare in view of the clear changed circumstances since the Local Plan was adopted as described above is, in terms of the principle of development, acceptable. The Kingsmere site will continue to remain available and safeguarded for healthcare use until, if and when an application is submitted for an alternative land use at such time the merits of that site's retention for healthcare use can be considered.
- 8.11. The loss of an area of green space given the considerable overprovision for the site as a whole is such that it is not contrary to policy with respect to adopted policy for green space and amenity provision.

Access and Transport

Policy Context

- 8.12. The Bicester 2 strategic allocation requires that the development on the overall site comply with ESD 1, which if taken together with material non-statutory documents such as LTN1/20 and the Bicester Cycling and walking strategy, requires that new development should be in a sustainable location and offer a choice of modes of transport to users of the facility.

Assessment

- 8.13. When initially submitted, the application was found by the Highway Authority to be deficient in failing to provide an enhanced level of public transport serving the site over and above that already provided for as part of the overall development of Graven Hill occasioned by additional trips to and from the site for relocated staff and patients. Following considerable discussion, the applicant has now agreed that additional public transport provision can be provided, which is to be secured via agreed obligations contained in a S106 agreement.
- 8.14. The original application was also found by the Highway authority to be deficient with respect to over-provision of staff and patient parking spaces, however the applicant was, with further discussions, able to secure the support of the Highway Authority to the original level of parking provision by demonstrating that it was consistent with other similar health-hub sites developed by them.
- 8.15. The provision for cycling and pedestrian access was originally only provided via the road access to the site. However, due to deficiencies with that solution it was agreed by the applicant and subject to being secured by S106 agreement that an upgrade of an existing informal path from the adjoining 'wildlife' site on the most direct route from the commercial centre of Graven Hill should be provided. BBUG considers that provision to be unsuitable by reason of the works necessary to improve the existing informal path would impact on the adjoining open space, and alternatively, if the path was not improved, it would not be of an acceptable standard for less able pedestrians or cyclists. BBUG proposed a cycle link over existing vacant land to the North leading to an existing private road. The applicants have resisted this option on the basis that the land is not available as part of this application.
- 8.16. The provision of the upgraded informal path from the adjoining 'wildlife' site would fail to accord with LTN 1/20. However, the following material considerations are considered relevant to the assessment of the level of harm represented by this proposed non-compliance. The upgraded footpath is considered acceptable by the Highway Authority, and whilst LTN1/20 is of material relevance, it is guidance. If the path were to be upgraded to comply fully with LTN1/20 it would introduce into an area of wildlife space a discordant feature, the proposals provide a compromise that delivers a pedestrian and cycle way of an acceptable standard but retaining the essential character of that area.

Conclusion

- 8.17. Having entered with the County Council into considerable discussions with the applicant and their development team, the scheme as now put forward complies with requirements to provide a sustainable location for the use, compliant with adopted policy and other material policy, by providing a practical choice of transport modes. The scheme as now presented is recommended by the Highway Authority, subject to concluding an acceptable section 106 agreement and the imposition of appropriate recommended planning conditions to ensure that the development is undertaken in accordance with approved plans and provides for inter alia a travel plan to encourage

modal shift, a delivery and service management plan, and a construction traffic management plan.

- 8.18. Having regard to the views of the Highway Authority, and the requirements of Policy and other material documents, the scheme as now presented is acceptable in terms of transport and access.

Ecology

Legislative and policy context

- 8.19. 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.
- 8.20. 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.
- 8.21. 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.
- 8.22. 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.
- 8.23. 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, pipelines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 8.24. Paragraph 174 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.
- 8.25. Paragraph 180 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.
- 8.26. Paragraph 185 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.
- 8.27. 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. The Bicester 2 strategic allocation policy inter alia requires Biodiversity protection and enhancement measures and protection of habitat.
- 8.28. These policies are supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 8.29. The Planning Practice Guidance dated 2014 postdates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.30. 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:
- a. 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:

- b. 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

- c. 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')
- 8.31. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site and there are a number of mature trees and hedgerows within and adjacent the site, and therefore has the potential to be suitable habitat for bats, breeding birds, badgers, reptiles, great crested newts, water voles and invertebrates.
- 8.32. For the local planning authority to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 when considering a planning application where EPS are likely or found to be present at the site or surrounding area, local planning authorities must firstly assess whether an offence under the Regulations is likely to be committed. If so, the local planning authority should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.
- 8.33. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.

Assessment

- 8.34. The application is supported by a detailed ecological impact survey including a protected Phase 1 species survey which concluded that the Site is of limited value to protected and / or notable species, providing nesting opportunities for breeding birds and foraging habitat for invertebrates and in turn bats. Not least due to previous translocation activity under the appropriate licence by the developer of Graven Hill strategic site. No Important Ecological Features (IEF)s are currently present on site and no further surveys for notable and / or protected species are required to ensure legal compliance and ensure good practice measures are adopted during the construction phase of the Development. Mitigation has been provided within this report with regards to the Site preparation and construction phases of the Development. Enhancement measures have also been made within this report to inform the emerging scheme design.
- 8.35. In addition to the ecological impact report submitted as part of the suite of documents supporting the proposal, the applicants have submitted a Biodiversity net gain assessment. The result of that study is that the current site proposals will provide a habitat biodiversity net gain of 0.04% to the already enhanced wildlife areas, and no loss in hedgerow biodiversity by virtue of nearby off-site mitigation. Although small, it is nevertheless confirmed that the proposed habitat creation, and biodiversity net gain mitigation for the wider Site is compliant with local planning policy ESD 10 which does not set a percentage requirement and policy contained in Bicester 2. It is recognised that this level of biodiversity net gain falls below the corporate requirement (a material consideration) of 10%, nevertheless, given the wider context of the Bicester 2 site, and overall planning balance, it is considered that the proposal is acceptable.
- 8.36. The use of off-site habitat for biodiversity offsetting in order to achieve an overall BNG, provides an added benefit to ecology at the wider site through extending habitat of high ecological value already present as described in the first section of this report, as opposed to additional planting onsite at low ecological value habitat.
- 8.37. The inclusion of newly planted woodland provides more suitable habitat for local BAP species and in the future will provide additional habitat to those species potentially

affected by the Development such as bats (local BAP species) and other bird species. In summary, this additional off-site habitat is of greater benefit to local BAP species than additional soft landscaping on-site.

Conclusion

- 8.38. Officers are satisfied, in the absence of any objection from Natural England, and subject to appropriate conditions, 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. In addition, the proposal satisfies the requirements of adopted Local Plan Policy ESD 10.

Securing Health and Wellbeing Facilities

Policy context

- 8.39. Policy BSC 8 of the adopted Local Plan supports the provision of health facilities in sustainable locations which contribute towards health and wellbeing.

Assessment

- 8.40. The submitted proposal is supported by the NHS, OCCG as part of their Healthcare Plan Primary Care Estates Strategy 2020 – 2025 which seeks to produce integrated healthcare facilities at Bicester among other locations as envisaged by the commentary to the policy BSC 8 as set out in paragraph B.146 the Local Plan.

Conclusion

- 8.41. Officers consider that the submitted proposal is in accordance with adopted Policy BSC 8 and, as set out paragraphs 9.3 and 9.4 of this report, consider that whilst the land use is not one envisaged as being required on Bicester 2, the introduction of a healthcare use at this location would not prejudice the continued safeguarding of the site at Kingsmere and the proposal would respond to the identified needs of the NHS in serving the population of Bicester.

The Character of the Built Environment

Policy context

- 8.42. Policy ESD 15 of the adopted Local Plan requires new development to complement and enhance the character of its context through sensitive siting, layout and high quality design. In addition, Policy Bicester 2 draws attention to the need to comply with ESD 15 and comprise high quality development.
- 8.43. Policy ESD3 of the Local Plan seeks that all non-residential development achieves 'very good' BREEM standard as a minimum and maximise resource efficiency.
- 8.44. Policy ESD4 of the Local Plan seeks to encourage the provision of decentralised Energy Systems in all new developments and the provision of a feasibility assessment for all applications for non-domestic development over 1000sqm of floorspace.
- 8.45. Policy ESD5 of the Local Plan seeks a feasibility assessment of the potential for significant on site renewable energy provision for non-domestic developments above 1000sqm floorspace.

Assessment

- 8.46. The application was supported by a detailed Design and Access Statement which set out in detail the design parameters for the building and the site, including the provision

of disabled access arrangements to all parts of the building and the consideration of alternative layouts. The final design was guided by NHS published guidance for such facilities and is designed to meet BREAM 'excellent' standards. The McCann & Partners 'Building Regulations Part L Compliance Report', dated March 2021 demonstrates that the building will feature 48 solar PV panels on the roof and the building will far exceed the minimum Part L Building Regulations target values such that it will achieve BREEAM 'excellent' standard, in full accordance with policies ESD3 and ESD5.8.47 In respect to ESD4, the applicant has advised that it would neither be feasible nor viable to install a decentralised energy system to serve this development or the wider Graven Hill site.

8.48. Policy ESD 15: The Character of the Built and Historic Environment is the successor to Saved CLP 1996 policy C28, layout, design, and external appearance of new development. ESD 15 requires new development "*to complement and enhance the character of its context through sensitive siting, layout and high-quality design*", whilst "*All new development will be required to meet high design standards.*"

8.49. NPPF para 126 states:

"The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

8.50. The eventual design is, in the view of the Officers, acceptable utilising for its layout accepted NHS guidance to ensure a functionally compliant building. The external appearance is consistent in both the use of low embodied carbon sustainable materials, and its overall design ethos to that of Graven Hill, as exemplified within Policy Bicester 2 that cites ESD 3 and the approved Graven Hill masterplan and Design Code.

Conclusion

8.51. Officers consider that the proposed building is compliant to the relevant adopted local Plan Policies and other material non statutory guidance.

Heritage

Policy Context

8.52. Policy ESD 15 of the adopted Local Plan seeks to protect Heritage assets.

Assessment

8.53. The application site is situated in an area of archaeological interest and Iron Age and Roman settlement features were recorded ahead of the construction of the pond immediately south of the nearest house. An archaeological evaluation undertaken to the east of the application site also recorded a series of Roman linear features. It is therefore likely that further archaeological deposits would be present on the site and be impacted by the development.

Conclusion

8.54. The applicants have submitted an archaeological written scheme of investigation, the County archaeologist has considered the assessment and has raised no objection subject to condition, and as a result Officers consider that the policy requirement to protect Heritage assets is satisfied.

The Master Plan and Design Code

8.55. The current extant Master Plan as described above shows the site as part of an area of Open space.

Assessment

8.56. A Masterplan and Design Code was produced by The Graven Hill Village Development Company in 2015 following the grant of outline planning permission the previous year to reflect the vision to offer self-build housing opportunities, extensive open space, a strong sense of character and identity, strategic locations for new employment and attract inward investment.

8.57. The site location for the application proposals is within an area identified as “Gateway Park” within the Masterplan. In terms of character treatment “Gateway Park” is identified as a large wetland habitat beside the main site entrance with a “rural” structure and with “low design freedom”.

8.58. Potential buildings to be retained were originally included within both the “Gateway Park” and “Sports Grounds” areas to the west but these have subsequently been demolished to be replaced by this health and wellbeing centre proposal and a future sports pavilion.

8.59. The height of the recently demolished boiler house was taken as a precedent for the proposals to be 3 storeys with flat roof and parapet structure to be similar in scale and height.

8.60. The neighbouring “Sports Grounds” is identified as “rural” with “some design freedom” and includes a sports pavilion intended to sit comfortably in the landscape and be complimentary to its context, either by reflecting the military heritage of the site or by blending into its rural surroundings.

8.61. The character treatment as exemplified by the application suggests a sensitive approach using a considered application of vernacular materials is to be employed. Case study examples suggest restrained use of materials, brick and concrete, low tech detailing, a robust and understated appearance that conveys a similar quality to that of the military architecture found at Graven Hill.

Conclusion

8.62. Officers consider that the application building’s appearance is generally in accordance with the Design code for the wider site. The use of land designated in the Master plan for public open space is considered in this report and the circumstances pertaining at this site lead Officers to conclude that the use of this site for a health hub is, given the particular circumstances of an identified need, the over provision at the wider site of public open space, that the proposal is an acceptable use for the site, particularly given the biodiversity net gain proposals on other land within the Bicester 2 strategic site.

Planning Obligations

8.63 The area proposed to be enhanced to deal with biodiversity net gain whilst part of the current application is located at some distance from the main health hub site, within an area of existing and proposed public open space and biodiversity enhancement as detailed in the adopted Master Plan for the overall Bicester 2 Graven Hill development. That area is subject to an extant S106 governing the provision and

maintenance of that area for the benefit of current and future residents of Graven Hill. The proposed health hub provides for further improvement of that area to mitigate the loss of public open space at the Health Hub's proposed site, and as a result the extant S106, requires a deed of variation to incorporate the proposed mitigation, to ensure delivery of that mitigation.

8.64. Footpath upgrade around the pond to also accommodate cyclists on a wider shared-use path with enhanced signage, surfacing and lighting. Though not fully LTN1/20 compliant, it will represent an improvement at a level consistent with the use made of the surrounding area without detriment to its character and appearance. The precise details for its design and cost have still to be finalised.

8.65 In new S106 will be required to secure:

1. Payment of a contribution to improve public transport (bus) provision to the site - £320k;
2. Footpath update - (£TBC)
3. Payment of the County Council's Travel Plan monitoring costs of £2.3k; and
4. The District Council's S106 monitoring costs of £1k

9 PLANNING BALANCE AND CONCLUSION

9.1. The application as submitted and as assessed above is arguably contrary to some aspects of Bicester 2 Policy, which does not envisage the need for any healthcare uses at the Graven Hill site. However, the fact that the facility is not required by policy does not preclude the proposal coming forward. Applying the planning balance the situation since the approval of that part of the Bicester 2 Policy circumstances have changed. The current application arises out of a very clear identified need as set out in the application and the response to it by the NHS Oxfordshire Clinical Commissioning Group. That response identifies that existing primary health care businesses in Bicester reacting to the NHS plans for integration of healthcare have considered that the application site is now their preferred site, and this view is supported by the NHS. Nevertheless, the site safeguarded at Kingsmere remains safeguarded and a decision in line with the recommendation on this application would not affect that position.

9.2. The application is considered to be a sustainable development in accordance with Policy PSD 1 and the NPPF, the definition of sustainable developments is set out in the NPPF as comprising three interconnected limbs, economic, environmental and social objectives.

9.3. The economic and social objectives are satisfied by the achievement of a needed health care facility, identified in accordance with the NHS plans for primary healthcare in Bicester. The site users' access to public transport is, via the S106 contributions to be markedly improved via an improvement to the frequency of bus services serving the site. Similarly, the areas designated for parking and the provision of recharging facilities for staff and patients marks a considerable improvement to the existing healthcare facilities. The proposals also include enhanced access and storage for cyclists. This integrated facility offers areas for teaching and better clinical care than the existing GP's surgeries. The environmental impact of the site is positive with a net biodiversity gain at an off-site but related site, together with the provision of a sustainable building constructed to BREAM excellent standard.

9.4. It is the Officers view that despite the proposal not being entirely consistent with adopted Policy, the circumstances surrounding the application are such that the

development is an acceptable proposal which is sustainable and in consequence satisfies the requirement of the planning system to contribute to the achievement of sustainable development.

10 RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO:

- i. **RE-CONSULTATION ON AN AMENDED REDLINE BOUNDARY PLAN AND THE EXPIRY OF THE PUBLIC CONSULTATION PERIOD, IF THERE ARE NO FURTHER COMMENTS RECEIVED WHICH RAISE NEW ISSUES NOT BEFORE THE COMMITTEE IN THEIR DECISION MAKING; AND;**
- ii. **CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY); And**
- iii. **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):**

S106 Heads of Terms

- A. **£320,000 - Payment of a contribution to improve public transport (bus) provision to the site -**
- B. **£TBC - Footway upgrade**
- C. **£2,300 – OCC Travel Plan Monitoring Fee**
- D. **£1,000 – CDC S106 monitoring fee**

CONDITIONS

Time Limit

- 1 The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

- 2 Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:

IBI-AR-XX-XX-PL-100-004 Rev 17 – Proposed Site Masterplan
WIE11386-HHA-05-001 Rev A01 – Health Hub & Western Spine Road Vis.
16470-WIE-100-74-XX-ZZ-110 Rev P01 – Biodiversity Net Gain Offset Plan
122447-IBI-XX-WS-PL-A-100-005 Rev 7 – Existing Site Location Plan
IBI-XX-XX-PL-A-200-005 Rev 18 – Proposed Site Plan
16470-WIE-100-74-XX-ZZ-000 Rev A – Colour Masterplan
122447-IBI-XX-XX-PL-A-200-5010 Rev P4 – Ground Floor Plan
122447-IBI-XX-XX-PL-A-200-5011 Rev P4 – First Floor Plan
122447-IBI-XX-XX-PL-A-200-5012 Rev P4 – Second Floor Plan
122447-IBI-XX-XX-PL-A-200-5013 Rev P1 – Roof Plan
122447-IBI-XX-XX-EL-A-200-5020 Rev P1 – North & West Elevations
122447-IBI-XX-XX-EL-A-200-5021 Rev P1 – East & South Elevations
122447-IBI-XX-XX-EL-A-200-5022 Rev P1 – Courtyard Elevations
8757-MCP-V1-XX-DR-E-9000 Rev P01 – External Lighting Strat. & PV Plan

16470-WIE-100-74-XX-ZZ-100 Rev P03 – Illustrative Landscape Plan
Design & Access Statement, March 2021
Planning Statement, April 2021
WSI for Archaeological Investigation, February 2021
Technical Note – Biodiversity Net Gain Assessment, April 2021
Supplemental Tech. Note – Biodiversity Net Gain Assessment, August 2021
Ecological Impact Assessment, March 2021
Building Regs Part L Compliance Report, March 2021
Geotechnical Desk-Study Report – Part 1, February 2021
Geotechnical Desk-Study Report – Part 2, February 2021
Geotechnical Site Investigation Report, June 2021
Arboricultural Impact Assessment, April 2021
Arboricultural Survey Schedule, August 2020
Arboricultural Briefing Note, December 2021
Flood Risk Assessment & S/W Drainage Strategy, March 2021
Travel Plan, March 2021
Transport Assessment – Part 1, April 2021
Transport Assessment – Part 2, April 2021
Transport Assessment – Part 3, April 2021
Supplemental TRICS data for GP Surgeries with Pharmacies
Transport Tech. Note – Primary Health Care Hub proposals, July 2021

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

- 3 Samples of all the external materials to be used in the construction of the building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 [C18] of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. Full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Government Guidance contained within the National Planning Policy Framework.

5. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e., depth of topsoil, mulch etc);
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/

- hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation;
- (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and 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. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) [or on the completion of the development, whichever is the sooner,] [or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority] and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. The existing hedge(s) along the north west boundary of the site shall be retained at a minimum height of not less than two metres and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason: To provide an effective and attractive screen for the development 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

8. No development shall take place until the existing tree T13 to be retained on the south east boundary (shown on approved plan 16470-WIE-100-74-XX-ZZ-100 P03) has been protected in accordance with the approved Tree Protection Plan and Arboricultural Briefing Note dated December 2021 unless otherwise agreed in writing by the Local Planning Authority. 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. 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.

9. The approved parking and turning/loading/unloading facilities (shown on approved plan IBI-XX-XX-PL-A-200-005 Rev18) shall be laid out and completed in accordance with the approved details before the first occupation of the building. The car parking and turning/loading/unloading spaces shall be retained for the parking and turning/loading/unloading of vehicles at all times thereafter.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking [and turning/loading/unloading] and to comply with Government guidance in Section 12 of the National Planning Policy Framework.

10. Before any above ground works commence a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the buildings/dwellings hereby approved.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property 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. 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 any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

12. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason: In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Saved Policy ENV1 of the Cherwell Local Plan 1996.

13. Prior to the first use of the business hereby approved, suitably located waste bins shall be provided outside the premises and retained for public use in accordance with details to be firstly submitted to an approved in writing by the Local Planning Authority.

Reason: In order that proper arrangements are made for the disposal of waste, and to ensure the creation of a satisfactory environment free from intrusive levels of

odour/flies/vermin/smoke/litter in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

14. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
- a) The parking of vehicles of site operatives and visitors;
 - b) The routing of HGVs to and from the site;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used in constructing the development;
 - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - g) Measures to control the emission of dust and dirt during construction;
 - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i) Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

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

15. The development hereby permitted shall be carried out in accordance with the recommendations set out in Written Scheme of Investigation of the Health Hub site by Waterman Infrastructure & Environment Ltd dated February 2021 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16). This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

16. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 15 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

17. The development hereby permitted shall be carried out in accordance with the recommendations set out in the Ecological Impact Assessment by Waterman Infrastructure & Environment Ltd dated March 2021 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

18. The development hereby permitted shall be constructed to BREEAM 'Excellent' standard.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework.

19. Prior to construction 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.

20. Prior to any occupation of the building it shall be provided with a minimum of 48 solar PV panels in accordance with the details set out in the Building Regs. Part L Compliance Report by McCann & Partners, dated March 2021, which demonstrates significant exceedance of the minimum Part L target values and shall be maintained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason: To support the delivery of renewable and low carbon energy in accordance with Government guidance contained within the National Planning Policy Framework and Policy ESD5 of the Cherwell Local Plan 2011-2031 Part 1.

21. The Health Hub building hereby permitted shall be used for medical or health services only (Use Class E(e)) and notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended including the update of 1 September 2020) for no other purpose falling within Class E unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the delivery and maintenance of medical and health services to Graven Hill residents and the surrounding Bicester population that it will serve.