

Case Officer: Andrew Thompson

Applicant: OxTec Developments Ltd

Proposal: Planning Application for Development within Use Classes E(g) (i), and/or (ii), and/or (iii), and/or B2 and/or B8 and associated works including access and parking (relating to proposed Buildings 8, 9, 10 and 11)

Ward: Kidlington West

Councillors: Councillor Conway, Councillor McLean, Councillor Walker

Reason for Referral: Major development

Expiry Date: 13 July 2023

Committee Date: 15 June 2023

**RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS/AND
SUBJECT TO A S106 LEGAL AGREEMENT OR ALTERNATIVE AGREED MECHANISM**

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located to the south of Langford Lane and east and west of Technology Drive, towards the north-western edge of the built-up area of Kidlington. It comprises Plots 8-11 on the 8.3ha Oxford Technology Park, which lies south of London Oxford Airport and west of the Motor Park.
- 1.2. The application site is part of a wider area that was identified as an area for a small-scale review of the Green Belt to accommodate identified High Value Employment Needs by Policy Kidlington 1 of the adopted Cherwell Local Plan 2011-2031 Part 1.
- 1.3. The application site is part of a larger site which is the subject of outline planning permission for a technology park comprising 40,362sqm of office, research and development and storage and ancillary space, subject to a number of parameters and restrictions as set out in conditions and a planning obligation associated with the consent. Whilst a number of building and elements of the permission have been implemented, the timescale for the submission of further Reserved Matters has expired.
- 1.4. Delivery of approved development on Plots 1, 3, and 5 of the Oxford Technology Park development are substantially complete and partially occupied and a hotel on Plot 2 (now known as Premier Inn Oxford Kidlington Airport) is open and trading. Development on Plots 4, 6 and 7 have also been approved and are nearing completion.
- 1.5. The road and principal access have been constructed and is operational for the Premier Inn and the completed units. Site preparation work has commenced on a number of plots and work has commenced on a number of units.

- 1.6. The application site comprises a 2.73ha rectangular area of flat serviced land on the southern end of Technology Drive completing the development previously approved under the outline planning permission. Campsfield House Immigration Removal Centre (IRC) is to the west.
- 1.7. To the north, on the opposite side of Langford Lane, are buildings/hangers serving London Oxford Airport with the gateway site cleared for development and to the east is the Oxford Motor Park where a number of car dealerships are located, Thames Valley Police and Thames Water are to the north east. National Cycle Network Route 55 runs adjacent to the A44 Woodstock Road providing a direct connection from its junction with Langford Lane through to Oxford City Centre to the south.
- 1.8. The nearest existing bus stop is located on The Boulevard and currently serves Oxford Spires Business Park and London Oxford Airport. There are further bus stops located along Langford Lane and along the A44 Woodstock Road all of which are within a reasonable walking distance from the site.

2. CONSTRAINTS

- 2.1. The application site lies within the Oxford Green Belt, the London Oxford Airport Height Safeguarding Zone (development over 45m), within 330m of the Rushy Meadows SSSI (Sites of Special Scientific Interest) and is identified as a minor groundwater Aquifer.
- 2.2. Previously before development of Technology Drive and remediation works, it had comprised Category 2 best and most versatile agricultural land and had also been identified as potentially contaminated, but those are no longer constraints to development.
- 2.3. The only other notable constraint is a Medium Pressure (MP) Pipeline for Southern Gas Networks running along the western boundary between the application site and the former Immigration Centre.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks planning permission for the construction of four units measuring a total of 16,909 sq. m.
- 3.2. Buildings 8 and 9 will be subdivided into Units 8A, 8B, 9A and 9B. Buildings 10 and 11 are proposed as singular units. All units will have a ground floor and mezzanine floor. The units will be configured as follows:

Unit	Floorspace (sqm)
8A	2,353
8B	2,353
9A	2,038
9B	2,038
10	4,235
11	3,892

- 3.3. 268 parking spaces are proposed to serve the units, of which 69 will be Electrical Vehicle ('EV') spaces and 23 will be accessible spaces. In addition, 160 cycle parking spaces are proposed.
- 3.4. The design of the development will be consistent in terms of appearance and scale with the development at Plots 1, 3, 5, 6 and 7.

4. RELEVANT PLANNING HISTORY

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

14/02067/OUT

OUTLINE (all matters reserved) - New build Technology Park comprising 40,362sqm of office, research and development, laboratory, storage and ancillary space. Approved

16/00533/DISC

Discharge of Conditions 6 (means of access), 10 (surface water drainage scheme), 11 (drainage strategy), 12 (air quality impact assessment), 14 (low emission transport plan), 15 (reptile method statement), 16 (method statement for enhancing tree or shrub planting, areas of species rich grassland, habitat boxes for birds) and 18 (bird control management plan) of 14/02067/OUT. Approved

17/00559/F

Variation of conditions 1, 2, 3, 5, 7, 9 and 21 of 14/02067/OUT to enable proper phasing of the development. Approved.

17/01542/REM

Phase 1 of Oxford Technology Park including details of siting, design, layout and external appearances of units referred to as 1 and 3. Approved.

17/02233/F

Planning permission granted for a new 3,981m² hotel at Unit 2, which is now built and occupied as a Premier Inn. Approved.

18/00047/DISC

Discharge of conditions 3 (landscaping scheme); 5 (cycle parking) and 6 (sustainability and energy statement) of 17/01542/REM. Approved.

19/00734/F

Variation of Condition 2 of 17/02233/F - to remove the brise soleil from proposed building and addition of 1No window/door. Withdraw drawing numbered AP18 Revision A & AP19 Revision A and replace with new drawings numbered AP26 & AP27. Approved.

21/00690/REM

Variation of conditions 1 (plans), 2 (materials) 3 (landscaping scheme), 5 (cycle parking), 6 (sustainability and energy statement) of 17/01542/REM - amendments to Units 1 and 3. Approved

22/02148/F

Development within Use Classes E (g) (i), and/or (ii), and/or (iii), and/or B2 and/or B8 and Associated Works including Access and Parking (part retrospective) (Units 4a and 4b). Approved.

22/02214/F

Variation of condition 2 (plans) 6 (vehicle parking layout) 16 (external Areas) of 21/03913/F - amendments to specified conditions relating to Building 5. Approved

22/01683/F

Planning Application for Development within Use Classes E (g) (i), and/or (ii), and/or (iii), and/or B2 and/or B8 and Associated Works including Access and Parking (part retrospective) (Unit 7). Approved

22/02647/F

Planning Application for Development within Use Classes E (g) (i), and/or (ii), and/or (iii), and/or B2 and/or B8 and Associated Works including Access and Parking (part retrospective). Approved

23/00382/F

Variation of Conditions 2 (Plans) & 13 (Total Floor Space) of 22/02647/F - Permission for additional floor space at mezzanine level within Unit 6A. Approved

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal as the proposal follows similar permissions on other sections of the Technology Park.

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. The final date for comments was **2 June 2023**, although comments received after this date and before finalising this report have also been taken into account.
- 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. KIDLINGTON PARISH COUNCIL: No comments received

CONSULTEES

- 7.3. OCC HIGHWAYS: No objection subject to s106 contributions and planning conditions.
- 7.4. THAMES WATER:
- Surface Water - no objection, however approval should be sought from the Lead Local Flood Authority.
 - Foul Water sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided
 - Water – No objection however infrastructure (e.g., a pumping station) may be required.

- 7.5. NATURAL ENGLAND: No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites.
- 7.6. THAMES VALLEY POLICE: No objection subject to a condition seeking Secured by Design accreditation.
- 7.7. ECONOMIC DEVELOPMENT: Support - This development would provide further for the need and demand for facilities to accommodate the specific needs of science and other knowledge-led economic growth (as explained in the supporting documentation). Clarification will be needed on how the construction phase will contribute to the development of local skills and supply chains, through the Training and Employment Plan.
- 7.8. ENVIRONMENTAL PROTECTION:
- Noise: The CEMP indicates construction noise will be controlled adequately.
- Contaminated Land: No comments
- Air Quality: The CEMP measures will control fugitive dust emissions provided all measures are followed, including the regular spraying of loose soil with water, which must be adhered to strictly, rather than merely considered, as it is phrased in the report.
- Odour: No comments
- Light: No comments
- 7.9. OCC ARCHAEOLOGY: No objection. The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

7.10. LLFA: Objection

- Flood risk assessment to be provided.
- Infiltration testing location plan to be provided.
- Surface water catchment plan to be provided.
- SuDS (Sustainable Drainage Systems) construction details drawing to be provided.
- Maintenance schedule to be provided.

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 2015)

- PSD1 – Presumption in favour of Sustainable Development
- SLE1 – Employment Development
- SLE4 – Improved Transport & Connections
- 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 – SuDS
- ESD8 – Water Resources
- ESD10 – Biodiversity and the natural environment
- ESD14 – Oxford Green Belt
- ESD15 – The Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- Policy Kidlington 1 – Accommodating High Value Employment Needs
- INF1 – Infrastructure Provision

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – Design control over new development
- C32 – Provision of facilities for disabled people
- TR1 - Transportation funding
- TR7 - Development attracting traffic on minor roads
- TR8 - Commercial facilities for the motorist
- TR10 - Heavy Goods vehicles
- ENV1 – Development likely to cause detrimental levels of pollution

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Equalities Act 2010 (“EA”)
- The Kidlington Framework Masterplan Supplementary Planning Document (SPD) Part 1: Kidlington Tomorrow – Realising the Potential (Adopted December 2016)
- Developer Contributions SPD
- Oxfordshire Parking Standards 2022

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
- Transport and Access
- Heritage and Archaeology
- Flooding and Drainage
- Mitigation of Climate Change
- S106 Contributions

Principle of Development

- 9.2. The application site lies within the Oxford Green Belt where restrictive policies apply at national and local level through the National Planning Policy Framework (NPPF) and the CLP 2031 Part 1. Policy ESD14 confirms that proposals within the Green Belt will be assessed in accordance with the NPPF.
- 9.3. Notwithstanding this, the CLP 2031 Part 1 does set out a need for small scale review of the Green Belt and refers to the Oxford Technology Park site within policy Kidlington 1 as one of the locations where small-scale review could accommodate high value employment development subject to site specific design and place shaping principles. The intended review and amendments to the Green Belt envisaged through policy Kidlington 1 have not been progressed despite some time having passed since the adoption of the CLP 2015.
- 9.4. The application site forms part of a larger identified site in the adopted CLP 2015 under Policy Kidlington 1. This policy brings forward high-value employment needs development on land to the northwest of Kidlington and adjacent London Oxford Airport as a strategic allocation for hi-tech employment development and associated infrastructure. The whole site was granted outline planning permission for the construction of 40,362sqm of office, research and development, laboratory, and storage business space within Use Classes E (g) (a)-(iii), B2 and B8 in 2016 (Ref: 14/02067/OUT) with the consent subsequently varied with a modified full permission in 2017 (Ref: 17/00559/F). Furthermore, approximately two-thirds of the allocated site has already been developed in a similar manner to that now proposed which were considered at committee in January 2023 and subsequently approved, subject to a travel plan monitoring fee and conditions.
- 9.5. It is noted that to date Units 1 and 3-7 have approved 34,947 sq. m within the quantum of floorspace approved under the original outline permission (i.e., 40,362 sq. m). The application now proposes 16,909sqm which would bring the total floorspace to 51,856 sq. m. (i.e., an additional 11,494sq. m). However, the additional floorspace would not result in a lower quality of development and would be as a result of making more efficient use of the land and including larger floorspace internally principally through mezzanine floorspace. The proposals would therefore have no materially larger or more significant impact on the openness of the Green Belt or the character of the area.

Conclusion

- 9.6. The proposed development is for a further phase of development of the supported Oxford Technology Park (OTP) that has already significantly commenced. This in itself is also a very special circumstances' justification for supporting further development at the already established OTP that itself remains on Green Belt land.
- 9.7. The applicant outlines in their submitted Planning Statement that the following benefits will arise out of the submission:
 1. The proposal will provide floorspace for high value employment uses. The delivery of high value employment uses at OTP is a stated objective of the Local Plan and it is confirmed by the Council that the parcel does not play any significant role in contributing to Green Belt purposes.
 2. Paragraph 6.13 of the Committee Report that recommended approval of the outline application (ref: 14/02067/OUT) confirms that: 'The level of need identified in the CDC (Cherwell District Council) Employment Land Study 2012 suggests that in order to meet projected demand in 2026, for the Kidlington area, 11.3 hectares of land, for B1 uses alone, would have to be released. It is improbable that this demand could be met unless at least part of the application site is developed or another tract of land

within the Oxford Green Belt, abutting Kidlington, came forward for economic development.’

3. It follows that Kidlington’s employment land needs cannot be met without the development of the site and the wider OTP. The proposal will therefore ensure that Kidlington’s employment land needs can be met through the continued development of the already supported OTP.
4. Utilising the Light Industrial and Industrial & Manufacturing employment density estimations the proposal will deliver between approximately 324 and 470 FTE (Full Time Equivalent) employment positions depending on the end user of the proposed building.
5. The average full-time pay in Cherwell based on 2020 information from Office for National Statistics (‘ONS’) is approximately £600 per week. The proposal for Buildings 8-11 therefore provides the opportunity to generate an average of between £10.1m and £14.66m in local earnings annually.
- 9.8. Having regard to the above rationale, the proposed development will accord entirely with the Local Plan employment site allocation and given the history of the site (inclusive of recent permission) and the clear intention of the Council to review the Green Belt at this location, the proposal in this case will not cause significant or demonstrable harm with respect to other Plan policies.
- 9.9. Whilst forming part of Policy Kidlington 1, the proposals lie within the Green Belt. National Planning policy advises at Paragraph 149 (g) that where there is a redevelopment of previously developed land development proposed, this would not be inappropriate development providing the proposals do not have a greater impact on the openness of the Green Belt than the existing development.
- 9.10. Notwithstanding this, the CLP 2015 does set out a need for small scale review of the Green Belt and refers to the Langford Lane/ Oxford Technology Park/ London Oxford Airport area within policy Kidlington 1 as one of the locations where small-scale review could accommodate high value employment development subject to site specific design and place shaping principles. The intended review and amendments to the Green Belt envisaged through policy Kidlington 1 have not been progressed despite some time having passed since the adoption of the CLP 2015.
- 9.11. The proposals have been assessed against existing buildings in the vicinity and are similar in height than surrounding buildings. Further gaps between the buildings and the maintained and enhanced landscaping of the site would maintain visual openness through the development and be in keeping with the surrounding Business Parks whilst not impacting on the openness of the Green Belt.
- 9.12. The proposal therefore accords with the requirements of the NPPF, Policies ESD14 and Kidlington 1 of the Local Plan Part 1.

Design, and impact on the character of the area

Policy context

- 9.13. The National Planning Policy Framework 2021 confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

- 9.14. Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially, where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents such as design guides and codes. Weight should be given to development which reflects local design policies and guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area so long as they fit in with the overall form and layout of their surroundings.
- 9.15. At the local level Policy ESD15 of the CLP 2031 Part 1, states that new development proposals should: be designed to improve the quality and appearance of an area and the way it functions...contribute positively to an area's character and identity by creating or reinforcing local distinctiveness...(and) respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale, and massing of buildings. Saved Policies C28 and C30 of the CLP 1996 reinforce this.
- 9.16. Policy Kidlington 1 is relevant and advises (inter alia) that key site specific design requirements will include (but are not limited to: Design for buildings that create a gateway with a strong sense of arrival including when arriving from the airport, a well-designed approach to the urban edge, which achieves a successful transition between town and country environments, development that respects the landscape setting of the site and a comprehensive landscaping scheme to enhance the setting of buildings onsite and to limit visual intrusion into the wider landscape.

Assessment

- 9.17. With regard to the existing context, the application site is flat and is not within a sensitive landscape. The site is surrounded on its north, east and west side by other built development, much of which is relatively functional in appearance with the use of simplistic materials, including the hangers at Oxford Airport to the north of the site and the new hotel and neighbouring commercial development also to the north and the car showrooms to the east of the site. The scale of buildings generally located to the south of London Oxford Airport are similar to the current development proposals as large commercial units.
- 9.18. The proposed development comprises four rectangular buildings sited perpendicular to the main spine road through the technology park site. The design of the buildings are consistent with the appearance of the buildings recently constructed on Plots 1 and 3 and typical of a modern commercial development comprising large areas of glazing with grey panelling in varying shades. The building has been designed to be constructed with a shallow pitched roof behind a low parapet giving the impression of a flat roof, which is again consistent with the adopted design approach within the Technology Park.
- 9.19. In terms of scale, the buildings would be two-storey in height, consistent with the other commercial buildings approved and the hotel on Plot 2. This creates a uniformity of scale, design, and material finish within the Oxford Technology Park site. The layout, scale and appearance of the proposed buildings are therefore considered acceptable in the context and would be consistent with the design principles established on the Technology Park.
- 9.20. The applicant, has included on the Roof Plans substantial areas capable of accommodating PV solar panels.

- 9.21. The comments of Thames Valley Police are noted however many of these elements (e.g., locks and door security detail) of the development are covered by Building Regulations.
- 9.22. The landscape scheme for the site is also consistent with the principles agreed and approved through the outline consent for the wider technology park including the retention and enhancement of the existing mature hedgerow to the rear (western) boundary and the planting of street trees along the main spine road. Full details will be required by planning condition.
- 9.23. Boundary treatment information has been submitted and is considered to be satisfactory and includes (inter alia) provision of security fencing to align with the neighbouring units, with the details needing to be secured by condition. Areas for recycling (bin storage) are also shown in the car park layout but details of the appearance of these areas (structures) have not been submitted and will therefore need to be sought via condition.

Ecology Impact

Legislative and Policy context

- 9.24. 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.
- 9.25. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): 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.
- 9.26. 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.
- 9.27. 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.
- 9.28. 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.

- 9.29. 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.

Assessment

- 9.30. In order 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.
- 9.31. The application is supported by a detailed protected species survey. Officers are satisfied, and the absence of any objection from Natural England, and subject to 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.

Transport and Access

- 9.32. Policy SLE 4 of the Cherwell Local Plan 2011-2031 states that the Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth. New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development. All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 9.33. Paragraph 111 of the NPPF stipulates that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe and this is echoed in Policy SLE 4 of the Cherwell Local Plan 2011-2031.
- 9.34. Policy ESD 15 of the Cherwell Local Plan 2011-2031 also sets out to Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing.
- 9.35. Policy KCW 1 of the Kidlington Masterplan guides that the County Council will improve the Kidlington Area cycling and walking network in line with the network proposals in the Kidlington Area LCWIP (Local Cycling and Walking Infrastructure Plan), Oxfordshire Cycle Design Standards (OCDS), and Oxfordshire Walking Design Guide (OWDG) and national guidance. This includes ensuring that the network is prioritised in other transport and road plans.

- 9.36. Policy KCW 2 of the Kidlington Masterplan also states that the County Council in partnership with Cherwell Council will work with developers to improve the Kidlington Area cycling and walking network including by S106 and S278 works. Kidlington Area LCWIP Cycle and Walking Network will be a material consideration in the approval and network plans of new developments. Route continuity is essential in the planning and delivery process.

Assessment

- 9.37. The application site is already served by Technology Drive and a range of highway improvements originally planned as part of the outline permission (under ref: 14/02067/OUT) have already been delivered with the development occupied on a number of Units.
- 9.38. Parking layouts proposed reflect similar established layouts on the remaining Units on Technology Drive and the cycle provision is also reflective of the overall design and layout. The level of parking proposed, including the provision of EV (Electric Vehicle) charging infrastructure meets the County Council's Parking Standards and is also considered appropriate for the development.
- 9.39. The overall employment floor area for the Oxford Technology Park would amount to a c.17% increase over that permitted under the 2014 Outline permission. The Transport Assessment submitted with the application sets out there will be an expected increase in trips over the Outline permission, even with revised lower vehicle trip rates. This is to be expected given the increased floor area now proposed along with the hotel that is now on site. The Transport Assessment suggests that this increase in vehicle trips would not directly lead to significant traffic impacts, in terms of congestion at key local junctions, when assessed against recent traffic flows.
- 9.40. OCC accept the revised vehicle trip rate, which is below that forecast under the Outline application; however, this logically means that a greater proportion of the staff will be travelling to the site by sustainable transport (and some may be travelling outside of peak network hours). Under the County Council's LTCP (Local Transport and Connectivity Plan) policies and Kidlington Local Cycling and Walking Infrastructure Plan, increased use of sustainable transport is to be encouraged but with improvements required to key routes to facilitate this trend.
- 9.41. An index-linked contribution of £250,000 was secured from the Outline planning application towards the provision of improved bus services to the site. This contribution is currently being used to provide an appropriate level of public transport service to the site.
- 9.42. Given the increase in development at the site above that permitted at the Outline stage, and the associated increase in forecast trips to the site, the county council considers it would be appropriate for robust Travel Plans to be adopted for the remaining units outlining additional measures to incentivise sustainable travel by staff to the site. This should include measures such as subsidised bus passes. This measure would be necessary to achieve the higher sustainable travel mode share being proposed in the Transport Assessment with the current application.
- 9.43. The Kidlington LCWIP identifies that there is a lack of suitable cycle infrastructure on the eastern end of Langford Lane, from the roundabout junction with The Boulevard to the junction with Banbury Road. The LCWIP proposes to improve this section of Langford Lane through a reduction in the speed limit along this stretch to 20mph to enable a safer and more amenable environment for cyclists to cycle on the carriageway.

- 9.44. A TRO consultation fee is sought from the development to consult on, and if approved, implement the speed restriction along this stretch of Langford Lane. This would be of direct benefit to staff accessing the site by sustainable modes and would also mitigate the impact of increased traffic on the route as a result of the current application.
- 9.45. A condition is requested to restrict occupation of the units that are subject to this application prior to the completion of the highway works to create an off-carriageway cycle route between the Oxford Technology Park and the A44 on Langford Lane. These works were secured against the Outline planning permission.
- 9.46. As such the proposals are considered to be acceptable and the proposals would be in accordance with Policies SLE4 and ESD15 of the Cherwell Local Plan 2011-2031, advice in National Planning Policy and guidance contained within the Kidlington Masterplan SPD.

Heritage and Archaeology

Policy Context

- 9.47. The application site is not located next to or near any listed buildings or designated heritage assets. The proposal should be considered against Policy ESD15 of the Development Plan which seek to protect and enhance designated and non-designated heritage assets and guide against development that would cause substantial harm to the significance of any heritage asset.
- 9.48. The NPPF in that they seek to protect and enhance designated and non-designated heritage assets and guide against development that would cause substantial harm to the significance of any heritage asset. In accordance with the NPPF, great weight must be given to the conservation of designated heritage assets and in accordance with s72 of the Planning (Listed Building and Conservation Areas Act) 1990, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. There is accordingly a strong presumption, imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, against harmful development.

Assessment

- 9.49. The comments of OCC's Archaeological Advisor are noted in that there is not considered to be any archaeology assets in the vicinity. As such there is no heritage harm arising from the development.
- 9.50. As such the proposals are considered to be acceptable and the proposals would be in accordance with Policy ESD15 and advice in National Planning Policy and legislative requirements.

Flooding and Drainage

Policy Context

- 9.51. Nationally, Paragraph 167 of the NPPF guides that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- i. within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

- ii. the development is appropriately flood resistant and resilient;
 - iii. it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - iv. any residual risk can be safely managed; and v. safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 9.52. National Policy also guides that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a) take account of advice from the lead local flood authority;
 - b) have appropriate proposed minimum operational standards;
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - d) where possible, provide multifunctional benefits.
- 9.53. Policies ESD6 (Flood Risk Management), ESD7 (Sustainable Drainage Systems) and ESD8 (Water Management) of the Development Plan are also important considerations. The policies are in general compliance with National policy guidance and are therefore considered to be up to date. Assessment
- 9.54. The comments of Thames Water and the County Council, as Lead Local Flood Authority are noted.
- 9.55. The overall sustainable drainage has been proposed to be in line with the principles of the outline planning permission 14/02067/OUT and the objectives of the drainage statement that the surface water drainage system for Units 8-11 has been designed to accommodate the flows generated by a 1 in 100-year event, plus an allowance of 40% for climate change.
- 9.56. Notwithstanding the comments of the LLFA (Local Lead Flood Authority), the drainage strategy and detail has been considered to be acceptable to the remainder of Technology Drive, most recently Unit 6 under 22/02647/F which was approved in January 2023. As such subject the implementation of the agreed strategy, consistent with the remainder of the rest of the Park, the proposals would be acceptable and in accordance with policy.
- 9.57. Thames Water would advise that with regard to foul water and the sewerage network infrastructure capacity, they would not have any objection to the above planning application. Whilst there is infrastructure in the vicinity of the application site which should be accounted for, in private agreement with Thames Water, there is no prohibitive reason as to why this could not be accounted for in and designed appropriately.
- 9.58. Thames Water also advise that with regard to water network and water treatment infrastructure capacity, they would not have any objection to the above planning application.
- 9.59. Overall, it is considered that the submitted information and plans are sufficient to assess the application and determine that the proposals would be appropriate and would not result in flooding elsewhere. The proposals include appropriate sustainable drainage systems. The proposals are therefore in accordance with Policies ESD6,

ESD7 and ESD8 of the Development Plan and the aims and objectives of the National Planning Policy Framework.

Mitigation of Climate Change

- 9.60. To ensure sustainable construction and reduce carbon emissions the Policies ESD1, ESD2, ESD3, ESD4 and ESD5 of the Cherwell Local Plan Part 1 and Government guidance contained within the National Planning Policy Framework set out a range of principles associated with addressing and mitigating the impact of development and promoting sustainable construction, renewable energy and reducing energy demand.
- 9.61. The application is supported by a Sustainability and Energy Statement which sets out how the development will aim to meet the aims of policy.
- 9.62. The supporting Statement sets out that since the initial concept the ethos and design of the buildings at Oxford Technology Park have been focused on highly energy efficient and sustainably constructed buildings. The Park is committed to achieving the BREEAM 'Excellent' status above policy requirements of BREEAM 'Very Good' accreditation.
- 9.63. The BREEAM commitment builds sustainability into every stage of the design and construction process, ensuring a highly considered development and sustainable building. The following elements are key to the BREEAM process;
- o Early scoping exercises to all elements of design
 - o Considered construction techniques and methodologies
 - o Adopting sustainable practices in every element of the construction, to ensure sustainability throughout the lifecycle of the building.
- 9.64. Examples of the Best Practice activities adopted on the development include:
- o The implementation of 'soil screening' onsite, in order to prepare site's topsoil for use in the soft planting areas rather than removing it from site by transport, requiring soil to be brought in separately for soft landscaping
 - o The implementation of a zero run-off SuDS surface water drainage scheme to each unit plot, ensuring each plot has sufficient surface water storage capacity for any surface water arising within that plot
 - o Selection of recyclable construction materials, such as steel (the building frame) and glass (windows and glazing)
 - o As well as the selection of the most efficient material of its class, such as the Composite Cladding panels selected for the building envelope;
- Energy efficiency as a principle is prioritised in the design as follows:
- o All lighting specified is high efficiency LED
 - o Heating and comfort cooling provision to the office spaces is provided by a refrigerant based, variable refrigerant flow with heat recovery offering COPs (coefficients of performance in excess of 4)
 - o Ventilation to office spaces incorporates a heat recovery system capable of achieving 80% heat recovery coupled with low SFPs

- o To assist in the recovery of heat from ventilation systems all ductwork is specified to be insulated with high performance insulation Green Guide A+ rated.
- o Building envelope leakage rates specified are in excess of the Building Regulation requirements with a target of 4.0m³ / m²@ 50Pa
- 9.65. Detailed analysis of potential renewable energy technology and provision has been conducted through-out the BREEAM process thus far, as they have moved forward from the pre-assessment previously submitted, and conducted SBEM (Simplified Building and Energy Model) analyses, designs and strategies. It is understood that a scoping exercise is currently on-going with the electricity distribution network with regard the capacity that can be accepted by the grid.
- 9.66. Onsite provision of food and drink with an informal meeting space through the provision of an onsite coffee shop, restaurant and bar (part of the current hotel in building 2) will encourage people to meet, eat and socialise onsite during the working day and reduce travel in order to procure food and drinks. As well as the hotel a Park Hub space in Building 4B, the 'Innovation Quarter' to create a community within the Park will also provide facilities for workers and users of the technology park to reduce the need to travel by car to access facilities elsewhere.
- 9.67. The EV charging provision currently designed 25% of the total parking. Further, future expansion of the EV charging provision is allowed for through the installation of an electrical feeder pillar for the EV charging which will have the capacity to supply electricity for up to double the day one installation (20 charging spaces) as maybe required by the building user. This is achieved technically via a 'daisy chain' installation of the EV points which allow additional charging points to be added to the initial installation up to capacity of the feeder pillar.
- 9.68. In summary, the submitted energy and sustainability strategy sets out how the development includes low carbon technologies within the scheme and responds to the technical challenges around incorporating renewal energy generation as set out in Policies ESD1, ESD2, ESD3, ESD4 and ESD5 of the Cherwell Local Plan Part 1 and Government guidance contained within the National Planning Policy Framework.

S106 Contributions

- 9.69. Policy SLE 4 of the Cherwell Local Plan 2011-2031 states new development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development. All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 9.70. Policy KCW 2 of the Kidlington Masterplan also states that the County Council in partnership with Cherwell Council will work with developers to improve the Kidlington Area cycling and walking network including by S106 and S278 works. Kidlington Area LCWIP Cycle and Walking Network will be a material consideration in the approval and network plans of new developments. Route continuity is essential in the planning and delivery process.
- 9.71. Paragraph 57 of the NPPF, planning obligations must only be sought where they meet all of the following tests:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.

- 9.72. Contributions are sought from the highway authority to consult upon, and if approved, implement a 20mph speed restriction along Langford Lane between the junctions with the Boulevard and the A4260 (£3,652) and a contribution to monitor the Travel Plans for a period of 5 years post occupation (£3,780).
- 9.73. The Kidlington LCWIP identifies that there is a lack of suitable cycle infrastructure on the eastern end of Langford Land, from the roundabout junction with The Boulevard to the junction with Banbury Road. The LCWIP proposes to improve this section of Langford Lane through a reduction in the speed limit along this stretch to 20mph to enable a safer and more amenable environment for cyclists to cycle on the carriageway.
- 9.74. A TRO consultation fee is sought from the development in order to consult on, and if approved, implement the speed restriction along this stretch of Langford Lane. Highways Officers suggest that this would be of direct benefit to staff accessing the site by sustainable modes and would also mitigate the impact of increased traffic on the route as a result of the current application.
- 9.75. The TRO for a speed restriction is a measure in the LCWIP that will improve conditions for cycling on Langford Lane between the A4260 and The Boulevard.
- 9.76. The TRO is a separate legislative procedure and as it is not related to infrastructure or highway improvements necessary to make the development acceptable in planning terms the contribution does not meet this test, irrespective of whether such contributions have been agreed previously on other schemes which may have different circumstances. The TRO is not related to the other physical highway works associated with the development, so will not be included in the S278 agreement. It is not a "s278/s38 consultation request".
- 9.77. Further it does not relate to highway works or new infrastructure delivered by the development and therefore the question as to whether the contribution directly related to the development in question was also a matter for concern.
- 9.78. The level of contribution has not been set out how this would be spent, and the consultation requirements associated with the TRO however as it had not met the other tests it that this was not a matter that required further explanation or interrogation.
- 9.79. In respect of the travel plan monitoring fee, it is noted that contributions have been agreed and paid in relation to the outline planning permission. However, the development now proposed is above the level of floorspace granted by the outline planning permission and whilst the principles of the travel plan are agreed a further contribution is considered appropriate. The applicant notes and agrees to the payment of the contribution.
- 9.80. The applicant highlights that recent s106 Agreements took over 12 months to progress the drafting of the s106 Agreement and this is a matter of concern considering the need to progress the development to meet timescales of prospective tenants and occupiers. The applicant is seeking to therefore ensure that payment is provided on completion of the resolution of the Planning Committee and ensure that this is formally received by the County Council in relation to the Travel Plan monitoring prior to granting planning permission.
- 9.81. Whilst this is noted, this is not a matter of consideration in terms of the acceptability of the contribution, and the submission of a unilateral undertaking the level of s106

contribution sought could speed up the process but an appropriate mechanism will be agreed with County Council to secure appropriate payment.

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.
- 10.2. The proposed development represents positive economic investment in a sustainable location supporting the overall development of the wider Oxford Technology Park site.
- 10.3. It is acknowledged that the site remains within the Oxford Green Belt although it is anticipated through CLP 2015 policy Kidlington 1 that this would be amended. However, development of the site has been supported through the granting of outline planning consent. The site now represents a ready development site with the necessary infrastructure to support the growth of the technology park for high value employment uses.
- 10.4. There are significant economic benefits from construction, employment and wider economic investment and the improvement and completion of the development in terms of high quality employment. The creation of jobs also creates a social benefit.
- 10.5. Environmentally the impact on the Green Belt has been weighed in the balance and the comments of the LLFA have also been given full and careful consideration. Any negative aspects, for example the drainage concerns of the LLFA can be mitigated by condition.
- 10.6. It is considered that the proposals assessed within this application would constitute an acceptable form of development. Subject to appropriate conditions it is considered that the proposals would cause no significant harm to highway safety, residential amenity or visual amenity, sustaining the character of the site and its setting whilst providing new commercial floorspace in keeping with that approved for the wider Technology Park.
- 10.7. It is considered that the proposals are broadly consistent with the provisions and aims of the above-mentioned Development Plan policies. The proposals are therefore considered to be acceptable in all other regards and conditional approval is recommended.

11. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO **GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW 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, OR AN ALTERNATIVE AGREED MECHANISM TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):

FURTHER RECOMMENDATION: THE STATUTORY DETERMINATION PERIOD FOR THIS APPLICATION EXPIRES ON 13 JULY 2023 IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED AND THE PERMISSION IS NOT ABLE TO BE ISSUED BY THIS DATE AND NO EXTENSION OF TIME HAS BEEN AGREED BETWEEN THE PARTIES, IT IS FURTHER RECOMMENDED

THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT IS GIVEN DELEGATED AUTHORITY TO REFUSE THE APPLICATION FOR THE FOLLOWING REASON:

1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate mitigation for travel plan and sustainable transport initiatives required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to Policy SLE 4 of the Cherwell Local Plan.

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:

- Drawing Ref: 2786-02-PL2 – ‘Site Location Plan’
- Drawing Ref: 2786-01-PL4 – ‘Proposed Site Location Plan’
- Drawing Ref: 2786-100-PL3 – ‘Cycle Stores Plan’
- Drawing Ref: 2786-101-PL3 – ‘Bin storage’
- Drawing Ref: 2786-10 PL3 – ‘Building 8 Proposed Ground Floor Plan’
- Drawing Ref: 2786-11 PL3 – ‘Building 8 Proposed First Floor Plan’
- Drawing Ref: 2786-12 PL4 – ‘Building 8 Proposed Roof Plan’
- Drawing Ref: 2786-05 PL2 – ‘Building 8 Proposed Hard Landscaping Plan’
- Drawing Ref: 2786-14 PL2 – ‘Building 8 Proposed Elevations 1’
- Drawing Ref: 2786-15 PL2 – ‘Building 8 Proposed Elevations 2’
- Drawing Ref: 2786-16 PL2 – ‘Building 8 Proposed Sectional Elevations’
- Drawing Ref: 2760-10 PL5 – ‘Building 9 Proposed Ground Floor Plan’
- Drawing Ref: 2760-11 PL4 – ‘Building 9 Proposed First Floor Plan’
- Drawing Ref: 2760-12 PL5 – ‘Building 9 Proposed Roof Plan’
- Drawing Ref: 2760-05 PL4 – ‘Building 9 Proposed Hard Landscaping Plan’
- Drawing Ref: 2760-14 PL3 – ‘Building 9 Proposed Elevations 1’
- Drawing Ref: 2760-15 PL3 – ‘Building 9 Proposed Elevations 2’
- Drawing Ref: 2760-16 PL3 – ‘Building 9 Proposed Sectional Elevations’
- Drawing Ref: 2787-10 PL3 – ‘Building 10 Proposed Ground Floor Plan’
- Drawing Ref: 2787-11 PL5 – ‘Building 10 Proposed First Floor Plan’
- Drawing Ref: 2787-12 PL2 – ‘Building 10 Proposed Roof Plan’
- Drawing Ref: 2787-05 PL3 – ‘Building 10 Proposed Hard Landscaping Plan’
- Drawing Ref: 2787-14 PL1 – ‘Building 10 Proposed Elevations 1’
- Drawing Ref: 2787-15 PL1 – ‘Building 10 Proposed Elevations 2’
- Drawing Ref: 2787-16 PL1 – ‘Building 10 Proposed Sectional Elevations’

- Drawing Ref: 2788-10 PL4 – ‘Building 11 Proposed Ground Floor Plan’
- Drawing Ref: 2788-11 PL4 – ‘Building 11 Proposed First Floor Plan’
- Drawing Ref: 2788-12 PL3 – ‘Building 11 Proposed Roof Plan’
- Drawing Ref: 2788-05 PL3 – ‘Building 11 Proposed Hard Landscaping Plan
- Drawing Ref: 2788-14 PL3 – ‘Building 11 Proposed Elevations 1’
- Drawing Ref: 2788-15 PL3 – ‘Building 11 Proposed Elevations 2’
- Drawing Ref: 2788-16 PL2 – ‘Building 11 Proposed Sectional Elevations’
- Drawing Ref: 5214-OTP-ICS-08-XX-DR-C-0200-S2 Rev P02 - Building 8 Drainage Design
- Drawing Ref: 5214-OTP-ICS-08-XX-DR-C-0300-S2 Rev P02 - Building 8 Drainage Design
- Drawing Ref: 5214-OTP-ICS-09-XX-DR-C-0200-S2 Rev P02 - Building 9 Drainage Design
- Drawing Ref: 5214-OTP-ICS-09-XX-DR-C-0300-S2 Rev P02 - Building 9 Drainage Design
- Drawing Ref: 5214-OTP-ICS-10-XX-DR-C-0200-S2 Rev P02 - Building 10 Drainage Design
- Drawing Ref: 5214-OTP-ICS-10-XX-DR-C-0300-S2 Rev P02- Building 10 Surface Finishes and Kerb Specification Design
- Drawing Ref: 5214-OTP-ICS-11-XX-DR-C-0200-S2 Rev P02- Building 11 Drainage Design
- Drawing Ref: 5214-OTP-ICS-11-XX-DR-C-0300-S2 P02 - Building 11 Surface Finishes and Kerb Specification Design

Transport Assessment prepared by Vectos

Planning and Economic Statement prepared by Savills

Design and Access Statement prepared by Savills

Construction and Environmental Management Plan

Great Crested Newt eDNA Survey prepared by BSG Ecology

Sustainability and Energy Statement prepared by Lauren Bates

Oxford Technology Park, Units 8, 9 ,10 & 11 – Drainage Statement prepared by Infrastruct CS Ltd (Ref: 5214-OTP-ICS-RP-C-03.001)

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.

Approved Use Class

3. The floorspace hereby approved is permitted to be used for uses in classes E(g) (i) and/or (ii) and/or (iii) and B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Uses in Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) are also permitted but only where they are ancillary to the function of an individual Class E(g) or B2 operation.

Reason: This permission is only granted in view of the very special circumstances and needs of the applicant, which are sufficient to justify overriding normal planning policy considerations and the building has been designed to meet the employment requirements to comply with Policies Kidlington 1 and ESD 14 of the Cherwell Local Plan 2015 and Government Guidance contained within the National Planning Policy Framework.

Travel Plan

4. 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", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason: To encourage the use of sustainable modes of transport

EV Charging Points

5. Prior to first occupation of the building hereby approved all electric vehicle charging points shown on plan numbers 2786-05 PL2, 2760-05 PL4, 2787-05 PL3, 2787-05 PL3 and 2788-05 PL3 shall be implemented. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. Passive provision for the remaining car parking spaces to allow the installation of further EV charging points shall be ensured as part of the construction process.

Reason: To ensure that the development meets the requirements of Policies ESD4 and ESD5 of the Cherwell Local Plan 2015 and the aims and objectives of the NPPF in mitigating the impact of climate change and the ongoing provision and movement towards electric vehicle provision in new cars by 2030.

Parking areas

6. The vehicle parking area shown on plan numbers 2786-05 PL2, 2760-05 PL4, 2787-05 PL3, 2787-05 PL3 and 2788-05 PL3 shall be laid out prior to occupation of the approved development. Thereafter, the areas shall be retained solely for the purpose of parking, turning, and manoeuvring or their purpose.

Reason: To ensure satisfactory functioning of the development and in the interests of highway safety and to promote sustainable travel choices in accordance with Saved Policies C30 and C32 of Cherwell Local Plan 1996 and Policy ESD5 of the Cherwell Local Plan 2015

External Lighting

7. Other than lighting shown on the approved plans, no external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.

Reason: To ensure that the development does not unduly affect operations at London Oxford Airport and in order to safeguard the amenities of the area and to comply with Government guidance contained within the National Planning Policy Framework and Policy ENV1 of the Cherwell Local Plan 1996.

BREEAM Sustainability Standard

8. The development hereby permitted shall be constructed to meet at least BREEAM 'Excellent' standard.

Reason: In order to comply with Policy ESD3: Sustainable Construction of the Cherwell Local Plan 2015 and the submitted information in support of the application.

No outdoor storage

9. No goods, materials, plant, or machinery shall be stored, repaired, operated or displayed outside the buildings hereby approved unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Saved Policy C28 of the Cherwell Local Plan 1996.

Noise Emissions

10. The cumulative plant noise emissions from fixed plant and equipment on the site shall not exceed the levels set out in table 7.1 of the Noise Assessment Report produced by Peter Brett and dated December 2014 and approved under outline planning permission Ref: 14/02067/OUT. These being measured at 1m from a residential window shall not exceed:
- 45dBA (between 07:00 and 23:00 hours)
 - 35dBA (between 23:00 and 07:00hours)
 - 35dBA (for equipment operating over a 24hr period)

Reason: To ensure a satisfactory noise environment to comply with Policy ENV1 of the Cherwell Local Plan 1996

Construction Environmental Management Plan

11. The Development hereby permitted shall be constructed in accordance with the submitted Construction Environmental Management Plan (CEMP) and the associated Construction Traffic Management Plan (CTMP).

Reason: To ensure satisfactory development and management of the construction process.

Bin and Cycle Storage

12. Prior to the first occupation all cycle and refuse stores numbers 2786-05 PL2, 2760-05 PL4, 2787-05 PL3, 2787-05 PL3 and 2788-05 PL3 shall be in place and available for use.

Reason: To encourage the use of sustainable modes of transport and to ensure satisfactory provision for the parking of bicycles.

Total Floorspace

13. The total floorspace of the approved development shall be 16,909 sq. m.

Reason: To define the permission and having regard to the transport infrastructure installed being created as part of the development to cater for a maximum of total floorspace as part of the previous outline permission.

SuDS Implementation

14. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include: (a) As built plans in both .pdf and .shp file format; (b) Photographs to document each key stage of the drainage system when installed on site; (c) Photographs to document the completed installation of the drainage structures on site; (d) The name and contact details of any appointed management company information.

Reason: In the interests of satisfactory drainage and functioning of the site and to ensure that the sustainable drainage systems hereby approved are appropriately implemented

Cycleway Implementation

15. Prior to first occupation of the development hereby approved, details of the

timetable for implementation of the cycleway to Langford Lane, approved under planning permission 14/02067/OUT, shall be submitted to and agreed in writing by Local Planning Authority. The cycleway shall be implemented in accordance with the agreed timescale.

Reason: To encourage the use of sustainable modes of transport and to ensure appropriate infrastructure is delivered in accordance with Policy INF1 of the Cherwell Local Plan 2011 - 2031 Part 1 and Policy TR1 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Biodiversity

16. Prior to first occupation details of Biodiversity Net Gain to be achieved over the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development meets the requirements of the NPPF in mitigating achieving biodiversity net gain

Informative

1. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development

APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking

Planning obligation			Regulation 122 Assessment
Detail	Amounts (all to be Index linked)	Trigger points	
Travel Plan Monitoring fees for a period of 5 years post occupation	£ 3,780	To be agreed with Oxfordshire County Council	<p>Necessary – Yes. The site will require a Framework Travel Plan to ensure all users of the site have the same overarching aims, objective and targets. This should be produced prior to first occupation and then updated once the site is fully occupied. A Framework Travel Plan has been produced and submitted with this application and whilst some minor modification is needed there is a need for monitoring of the travel plan for 5 years post occupation. A contribution is sought to carry out this monitoring.</p> <p>Directly related – Yes. The contribution would be related to the site-specific Travel Plan</p> <p>Fairly and reasonably related in scale and kind – Yes. The contribution would be appropriate to carry out monitoring for 5 years post occupation of the development.</p>