

**Site Address: Bicester Town Centre
Development Manorsfield Road Bicester**

12/01612/F

Ward: Bicester Town

**District Councillor: Cllr Diana Edwards and Cllr
Debbie Pickford**

Case Officer: Bob Duxbury

Recommendation: Approval

Applicant: Town Centre Retail (Bicester) Ltd

Application Description: Variation of Condition 45 of 11/01179/F

Committee Referral: Major

1. Site Description and Proposed Development

- 1.1 The application relates to the new Sainsbury's store that is currently under construction and comprises part of the Bicester Town Centre Regeneration Scheme. The main customer entrance to the store will be from the newly created Bure Square, with an additional entrance at first floor level for customers parking in the two floors of car parking above. The store has a long frontage to Manorsfield Road, but no direct access.
- 1.2 As approved the store will have a floorspace of 4,842sq. metres of sales floorspace on ground floor and a half mezzanine floor. The proposal is to increase the size of the mezzanine floor thereby adding an additional 1,450sq. metres of sales floorspace, bringing the total sales floorspace to 6,292sq. metres. Works associated with the mezzanine will be wholly internal and do not involve any alterations to the exterior of the building.

2. Application Publicity

- 2.1 The application has been publicised by means of site notices. The final date for comment was 2 January 2013.
- 2.2 1 letter of objection has been received from a resident of Hunt Close. The grounds of objection are summarised as:
- Sainsbury's already dominates the retail environment in Bicester and will cause several other retail outlets to close. They should be made to reduce the types of activity they have planned, such as café, clothes, electrical etc. Otherwise the town centre will be unbalanced and there will be no viable competition.
 - The scheme is of a very low eco-standard and should be improved.
 - Increased traffic will cause increased air pollution.
 - Light pollution
 - Difficulties for pedestrians/cyclists crossing Queens Avenue with new arrangements.
 - Unsustainable with no electricity generation or water provision.

3. Consultations

3.1 Bicester Town Council raise no objections to the proposal.

Oxfordshire County Council Consultees

3.2 Oxfordshire County Council as local highway authority comment that an increase in retail floorspace of 1,450sq. metres is proposed through the provision of an extended mezzanine floor. There are no proposals to alter the approved access, servicing, parking or other highway works.

Transport matters are dealt with very briefly in submitted documents, without justification of the given figures for the anticipated change in traffic alteration. Whilst it is not possible to validate the quoted figures it is accepted that they are a reasonable approximation. New supermarkets have a relatively low impact upon the highway network especially during peak times; furthermore extensions to stores of this size have a low potential to generate new trips. The location of the store provides good opportunities for linked trips. It is considered that the proposal would have a negative impact upon the 'greater' highway network. More locally greater turning/access movements will be apparent however it is not considered that this intensification will have any significant impact and there would not be any increased delay or inconvenience.

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

S12	Town Centre Development
TR1	Transportation Funding
C28	Layout design and external appearance of new development

South East Plan 2009

SP3	Urban focus and urban renaissance
CC1	Sustainable development
CC2	Climate change
BE4	The role of small rural towns
TC2	New development and redevelopment in town
CO1	Core strategy for central Oxfordshire

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Cherwell Local Plan – Proposed Submission Draft (August 2012)

SLE2	Securing Dynamic Town Centres
Bicester 5	Strengthening Bicester Town Centre
Bicester 6	Bure Place Town Centre Redevelopment Phase 2

5. Appraisal

5.1 The issues raised by this development are:

- The principle of additional floorspace
- Impact upon heritage assets
- Impact upon neighbours
- Highway impact
- Parking provision

Policy Context and the Principle of Additional Floorspace

- 5.2 The National Planning Policy Framework, the South East Plan and our own Local Plans (adopted and proposed submission documents) all demonstrate the urban focus that should be adopted by local planning authorities. The application site is within the town centre boundary in the adopted Local Plan and the proposed submission local plan and is part of a site that has long been promoted as a site for town centre regeneration.
- 5.3 The National Planning Policy Framework (NPPF) establishes a clear presumption in favour of sustainable development and indicates in paragraph 14 that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 5.4 Section 2 of the NPPF seeks to ensure the vitality of town centres and requires LPAs to promote competitive town centres that should provide customer choice and a diverse retail offer. Paragraph 26 confirms that impact assessments are not required for town centre proposals.
- 5.5 This approach is carried through into Policy Bicester 5 of the proposed submission Local Plan. It is therefore clear that the provision of additional floorspace in this redevelopment scheme in the town centre is in compliance with these policies and will support the vitality and viability of the town centre.

Impact Upon Heritage Assets

- 5.6 The site lies within and abutting the Bicester Conservation Area, but the proposal has no changes to the external envelope of the approved building which is now nearing completion. Consequently it will not have any additional detrimental affect upon either the Conservation Area or the setting of nearby listed buildings.

Impact Upon Neighbours

- 5.7 As noted above there are no physical changes proposed to the external appearance of the approved building. There will be some increase in traffic generation (see below) but this is not considered to be at a level that would impact upon the residential amenity of nearby properties. There will be no changes to the approved scheme in terms of light pollution, energy rating or pedestrian flows mentioned by the objector.

Highway Impact

- 5.8 It will be noted that the County Council, as local highway authority consider that the impact of this proposal will be negligible on the existing (and newly upgraded) highway network. It is well known that new retail development does not generate new traffic on a network, but it can of course divert existing trips to other destinations. However, retail trips tend not to be at the peak times of other network users. The applicants believe that the increased attraction of traffic to the store could be of the order of a 7% increase at the access, but as agreed by OCC this is perceived as not likely to cause concern.

Parking

- 5.9 The principal effect of the proposed extension are expected to be an increase in the duration of time that a typical customer will spend at the store (and obviously be linked to have a higher monetary spend per visit as a result). This will impact upon the turnover of individual car parking spaces. This longer stay has to be considered alongside the increased attraction of the store (albeit not in direct proportion to the extent of the uplift in floorspace proposed), and it is therefore necessary to give careful consideration to the adequacy of the proposed car parking in the approved scheme.
- 5.10 In your officer's opinion the car parking is likely to be adequate, and OCC have not raised any concerns about this. The HPPDM has however sought additional information on this and will include an update on this in the written update to Committee if necessary.

Engagement

- 5.11 With regard to the duty set out in paragraphs 186 and 187 of the Framework, it is considered that the duty to be positive and productive has been discharged through the timely determination of the application and by seeking additional submission re: car parking rather than further delaying it's reporting to Committee.

6. Recommendation

Approval, subject to:

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

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

2. Except where otherwise stipulated elsewhere by conditions attached to this permission, the development of the mezzanine shall be carried out strictly in accordance with the documents submitted with the application and the following drawings CHQ.12.10135-PL01 and PL04

Listed below are all the original conditions attached to the existing consent which will need to be re-attached to the new overall consent. Before Committee the HPPDM will clarify those conditions previously cleared and works implemented that may mean that some conditions are no longer needed or can be amended to refer to the cleared details.

3. Notwithstanding the details shown on the approved plans all external walls and roofs of the buildings and all boundary/screen walls hereby permitted shall be constructed in accordance with a schedule of materials and finishes, including samples and sample panels of all materials and finishes, which shall have been submitted to or constructed on site and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan.

4. No development shall commence on site until a schedule of materials and finishes, including samples, to be used on all hard surfaces including pavements, pedestrian areas, crossing points and steps has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan.

5. No commercial units shall be occupied until seats, benches, litter bins, bollards, planters and other street furniture have been installed/erected in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. All street furniture shall be retained in accordance with the approved details at all times thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan.

6. No commercial unit shall be occupied until fingerpost and directional signage has been erected/provided within the site in accordance with a scheme which has previously been submitted to and approved in writing by the Local Planning Authority. The signage shall be retained in accordance with the approved details at all times thereafter

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan.

7. No commercial unit shall be occupied until boundary treatments within and around the site, including all gates around and within the site and all railings (including those around the decked car park) have been erected in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments, gates and railings shall be retained in accordance with the approved details at all times thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan.

8. That prior to the first use of the retail/leisure premises hereby approved, a scheme for the overall approach to the installation of advertising material on those premises shall be submitted to and approved by the Local Planning Authority. That scheme shall include details of the siting and extent of the material and its illumination.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan.

9. The public information display panels to be erected on the ground floor of the foodstore facing Manorsfield Road as shown on the approved plans shall be erected in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority and shall be completed before the foodstore is first brought into use and retained in accordance with

the approved details at all times thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan.

10. The development of each building shall not commence until detailed construction drawings comprising all external elevations and accompanying floor plans at a scale of 1:100 and all external joinery details at a scale of 1:50 for each building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawings and details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan.

11. Prior to their construction full structural details of any canopies or building overhangs of the existing or proposed highway shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development any canopy or building overhang shall be completed in all respects in accordance with the approved details and maintained as such at all times thereafter.

Reason - In the interests of highway safety and to comply with PPG13: Transport.

12. No part of the development shall be occupied until external lighting (including security lighting and street lighting) has been erected/installed in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be operational before the first occupation of the development and shall be maintained as such at all times thereafter.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy BE2 of the South East Plan and Policy C28 of the adopted Cherwell Local Plan and in the interests of highway safety and to comply with PPG13: Transport.

13. No external lighting within the site shall exceed the following limitations at any time unless otherwise approved in writing by the Local Planning Authority:
 - 5.0% Sky Glow ULR
 - 10 Ev (Lux) Light Trespass before 23.30hours or 2 Ev (Lux) after 23.30hrs
 - 10 I (kcd) before 23.30hrs or 1.0 I (kcd) after 23.30hrs
 - 10 L (cd/m²) Average

All as advised in the Institute of Lighting Engineers Guidance Notes for the Reduction of Obstructive Light 2005.

Reason - In order to avoid obtrusive light in the interests of visual and residential amenity and to accord with Policy BE2 of the South East Plan and Policies C28 and ENV1 of the Cherwell Local Plan.

14. The Archaeological Mitigation Strategy shall be as approved by 10/00413/DISC dated 17/06/2011.

Reason - To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in

PPS5: Planning for the Historic Environment.

15. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by BT&P Hyder, dated February 2007, ref: GD04001-01 and the following mitigation measures detailed within the FRA:

1. The realigned section of the Town Brook shall be designed to contain the modelled 1 in 100 year flows (with a consideration of climate change) within its banks, as outlined in Section 3.48 of the FRA.
2. Surface water drainage system shall be designed to attenuate discharge rates in storm events up to and including the 1 in 100 year event with an allowance for climate change, so that the development reduces surface water flood risk, as outlined in Sections 4.7 and 4.20.

Reason - To prevent flooding by ensuring that the realigned section of the Town Brook is of adequate capacity and to prevent flooding by ensuring satisfactory storage of/disposal of surface water from the site and to comply with PPS25: Development and Flood Risk.

16. The surface water drainage scheme shall be carried out in accordance with the details approved by 10/00360/DISC dated 09/06/2011, before the development is completed.

Reason - To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the scheme and to comply with PPS25: Development and Flood Risk.

17. The development shall be carried out in accordance with the Town Brook Diversion details as approved by 10/00360/DISC dated 09/06/2011. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason - To ensure that the development does not cause an increase in flood risk, whilst providing environmental enhancements and to comply with PPS25: Development and Flood Risk.

18. The development shall be carried out in accordance with the land contamination remediation details as approved by 10/00360/DISC dated 09/06/2011.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and PPS23: Planning and Pollution Control.

19. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term

monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason - To protect Controlled Waters by ensuring that the remediated site has been reclaimed to an appropriate standard, to comply with Policy ENV12 of the Adopted Cherwell Local Plan.

20. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason - To ensure that the development complies with approved details in the interests of protection of Controlled Waters, to comply with Policy ENV12 of the Adopted Cherwell Local Plan.

21. The development shall be carried out in accordance with the surface water disposal details as approved by 10/00360/DISC dated 09/06/2011.

Reason - To ensure that run off from areas such as chemical/oil storage, areas associated with waste activities, lorry and car parking areas is controlled to comply with PPS23: Planning & Pollution Control.

22. The development shall be carried out in accordance with the foul water disposal details as approved by 10/00360/DISC dated 09/06/2011, and shall be implemented prior to the first occupation of any building to which the scheme relates.

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Government advice in PPS25: Development and Flood Risk, and Policy ENV1 of the adopted Cherwell Local Plan.

23. No development shall commence on site (including demolition and enabling works) until a Construction Management Plan (CMP) providing full details of the phasing of the development and addressing each construction activity within each phase has been submitted to and approved in writing by the Local Planning Authority . The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received by the Local Planning Authority on 21 May 2006 and shall include the mitigation measures outlined in the Environmental Statement as follows;

1. Paragraph 6.170 of chapter 6 - Landscape and Visual Context
2. Paragraph 6.1.2 of chapter 13 - Contamination and Geotechnical issues
3. Paragraph 12.2, 12.3, 12.4, 12.5, 12.6, 12.7 and 12.8 of chapter 16 - Transport Assessment
4. Paragraph 6.3 of chapter 17 - Noise and Vibration Assessment
5. Paragraph 6.3 of chapter 18 - Air Quality Assessment. In addition, the CMP shall include details of;
6. The proposed pedestrian routes to be provided across the site to enable access between Manorsfield Road and Sheep Street during construction.

7. The proposed phased arrangements for the parking of construction traffic and the storage of plant, machinery and building materials during construction.
8. The site protection measures (including hoardings) to be erected
9. Details of all temporary lighting to be in place during construction.

Reason - To mitigate the impacts of the development during the construction phase and to protect visual and residential amenity in accordance with Policy C31 of the adopted Cherwell Local Plan.

24. The demolition strategy shall be as approved by 10/00413/DISC dated 17/06/2011.

Reason - To safeguard the preservation and retention of the existing historic building(s) to comply with Government advice in PPS5: Planning for the Historic Environment, and Policy C18 of the adopted Cherwell Local Plan.

25. No part of the development shall be occupied until cycle parking facilities (relevant to that part of the development to which it relates) have been provided within the site in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained in accordance with the approved details at all times thereafter.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with PPS1: Delivery Sustainable Development and PPG13: Transport.

26. A Green Travel Plan for staff of the foodstore, the cinema and retails units, 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 within 3 months after the first occupation of the relevant building. The approved Green Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with PPS1: Delivery Sustainable Development and PPG13: Transport.

27. All public parking facilities shall achieve the Park Mark ® 'Safer Parking Award' before the first commercial unit is occupied.

Reason -To ensure the car parking facilities are properly managed and secured in the interests of public safety in accordance with Policy D5 of the Non-Statutory Cherwell Local Plan.

28. The vehicular access into the site from Wesley Lane (at its junction with Manorsfield Road) leading to the new road indicated as Bure Place, and Bure Lane (to its junction with Manorsfield Road) shall be closed to vehicular traffic, other than by use by service vehicles, and staff of 49-57 Sheep Street gaining access to their staff parking area; which shall be restricted to outside of the hours of 10am to 4pm daily. Access shall be controlled by the installation of rising bollards across the access points in accordance with the BS PAS 68 and PAS 69 or other measures which have previously been submitted to and approved in writing by the Local Planning Authority.

Reason - To provide adequate servicing whilst protecting public safety,

amenity and highway safety and to ensure the bollards are adequate to prevent lorries entering the site when the bollards are raised, in accordance with PPG13: Transport.

29. Following the completion of development the pedestrian accesses onto Sheep Street comprising Wesley Lane, Evans Yard and the access between Nos. 39 and 43 Sheep Street (three in total) and Manorsfield Road (two in total) and at the junction of Crown Walk and Wesley Walk shall remain open at all times and public access should not be prohibited by any gate, fence, wall or other means of enclosure.

Reason - To ensure public access and linkages are retained and to comply with Policy S14 of the Non-Statutory Cherwell Local Plan and the Council's Supplementary Planning Guidance for this site.

30. Prior to first occupation of the development, the proposed service yards shall be constructed and surfaced in accordance with details which have previously been submitted to and approved in writing by Local Planning Authority. The service yards shall be retained free from external storage of materials that restricts appropriate turning of large vehicles and shall remain unobstructed and available for use for servicing at all times.

Reason - In the interests of highway safety, to ensure a proper standard of development and to comply with Government advice in PPG13: Transport.

31. That within SIX months of the first use of the Sainsbury's superstore retail units C1-C4, EY1-EY4, WEB1 and ET1 together with kiosks 1-3 along the new street shown on the approved plans as Bure Place shall be constructed and completed to a shell capable of use in accordance with the details approved under planning permission ref no. 07/00422/F

Reason - To ensure the satisfactory appearance and character of the new development and to comply with Policy S14 of the Non-Statutory Cherwell Local Plan and the Councils Supplementary Planning Guidance for the site.

32. That within six months of the completion of Block A the intended improvements to the external appearance of the Ex-Servicemen's Club and its forecourt shall be undertaken in accordance with the details approved by 11/00108/DISC dated 09.09.2011.

Reason - To ensure the satisfactory appearance and character of the new development and to comply with Policy S14 of the Non-Statutory Cherwell Local Plan and the Councils Supplementary Planning Guidance for the site.

33. That prior to the first use of any retail unit or the Sainsbury unit hereby approved the intended walls/gates to the new street known as Bure Place which are to screen the service area to Tesco (49-57 Sheep Street) and the rear of 72 Sheep Street shall be constructed in accordance with the details approved by 11/00108/DISC dated 09.09.2011.

Reason - To ensure the satisfactory appearance and character of the new development and to comply with Policy S14 of the Non-Statutory Cherwell Local Plan and the Councils Supplementary Planning Guidance for the site.

34. The landscaping of the site shall be in accordance with the details approved by 11/00108/DISC dated 09.09.2011.

Reason - In the interests of the visual amenities of the area, to ensure the

creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan.

35. That all planting, seeding or turfing comprised in the approved details of landscaping in respect of Condition 33 above 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; and that any trees and shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan.

36. No part of the development shall be occupied until details of the means of refuse storage and disposal/collection and recycling provision (arising from the development hereby approved) for that part of the development have been submitted to and approved in writing by the Local Planning Authority. Details shall include receptacles for refuse, siting of such receptacles and arrangements for their removal. The approved scheme shall be put in place before first occupation of the units to which the approved provisions relate and the refuse/recycling storage, collection and disposal shall be carried out in accordance with the agreed strategy at all times thereafter.

Reason - In order that proper arrangements are made for the disposal of waste, as well as to ensure the creation of a satisfactory environment free from intrusive levels of odour/flies/vermin/smoke/litter in accordance with Policy ENV1 of the adopted Cherwell Local Plan.

37. The development shall be undertaken in general accordance with the energy efficiency statement proposed by Synergy and submitted with the application (as subsequently amended).

Reason - To ensure energy and resource efficiency practices are incorporated into the development in accordance with Government advice contained in Planning and Climate change Supplement to PPS1.

38. The proposed foodstore shall be constructed to at least a BREEAM 'good standard'.

Reason - To ensure energy and resource efficiency practices are incorporated into the development in accordance with Government advice contained in the Planning and Climate change Supplement to PPS1.

39. All unfixd external seating and tables shall be removed outside of the trading hours of the premises with which they are associated.

Reason - To limit the potential for anti social behaviour and crime and disorder and to protect residential amenity in accordance with Policy D5 of the Non-Statutory Cherwell Local Plan and Planning Policy Statement 1.

40. No external seating or tables shall be provided within the site unless and until details of the extent and nature of the demarcation of the seating areas has been submitted to and approved in writing by the Local Planning Authority. The areas shall be defined and operated in accordance with the approved

details at all times they are in use.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan.

41. Prior to the first occupation of any part of the development hereby permitted fire hydrants shall be provided or enhanced within the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason - To secure the provision of essential community infrastructure on site in accordance with PPS1 and the Policy CC7 of the South East Plan

42. The temporary bus interchange facility shall be as approved by 10/00413/DISC dated 17/06/2011.
43. No externally mounted plant or equipment (except within the service yard of Building A) shall be installed or erected unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of visual and residential amenity and to comply with Policies C28 and ENV1 of the Cherwell Local Plan.

44. Notwithstanding the details shown on the submitted plans, details of the type, location, design, screening and acoustic performance of all internal and external plant and machinery (including coolers, air conditioning plant and plant or ventilation) to be provided in connection with the development shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and operation. The development shall be carried out and thereafter be permanently retained, maintained and operated in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development in the interests of amenity and to ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy ENV1 of the adopted Cherwell Local Plan.

45. That prior to the first use of the Sainsbury's superstore or any other retail unit a scheme for the provision of facilities for taxis submitted to and approved by the Local Planning Authority and shall thereafter be provided.

Reason - To ensure that there is adequate permission for the uses of taxis as an alternative to the private meter car in accordance with Policy TR1 and TR4 and TR10 of the Non-Statutory Cherwell Local Plan.

46. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents:

Site Location Plan P2-01.1,
Site Plan P2-01.2,
Demolition Plan P2-02,
Phasing Plan Overlay P203.1,
Masterplan Ground Floor Plan P2-03.2 Rev A,
Masterplan Mezzanine Floor Plan P2-04 Rev A,
Masterplan First Floor Plan P2-05 Rev A,
Masterplan Second Floor Plan P2-06 Rev A,
Masterplan Roof Plan P2-07 Rev A,

Block A Ground Floor Plan P2-13 Rev B,
Block A Mezzanine Floor Plan P2-14 Rev A,
Block A First Floor Plan P2-15 Rev B,
Block A Second Floor Plan P2-16 Rev B,
Block B Ground Floor Plan P2-18 Rev B,
Block B Mezzanine Floor Plan P2-19 Rev B,
Block B First Floor Plan P2-20 Rev B,
Block B Second Floor Plan P2-21 Rev B,
Built Form Elevations P2-48 Rev B,
Built Form Elevations P2-49 Rev B.

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within Planning Policy Statement 1: Delivering Sustainable Development

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal is considered to be acceptable on its merits as it will not cause harm to the vitality and viability of the town centre, to the character and appearance of the heritage assets, residential amenity or highway safety/convenience. As such the proposal is in accordance with Government advice contained in the NPPF, Policies SP3, CC1, BE4, TC2 and CO1 of the South East Plan 2009 and Policies S12, TR1 and C28 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.