

**OS Parcel 2200 Adjoining Oxford Road North Of
Promised Land Farm
Oxford Road
Bicester**

16/02586/OUT

Applicant: Bloombridge LLP

Proposal: Phase 1 of the proposed new business park ("Bicester Gateway") comprising up to 14,972 sq m (Gross External Area) of B1 employment based buildings, plus a hotel (up to 149 bedrooms), with associated infrastructure, car parking and marketing boards.

Ward: Fringford And Heyfords

Councillors: Cllr Ian Corkin
Cllr James Macnamara
Cllr Barry Wood

Reason for Referral: Major Development

Expiry Date: 12 April 2017 **Committee Date:** 13 April 2017

Recommendation: Approve subject to conditions, legal agreement and resolution of ecology concerns

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site relates to a 3.8ha triangular shaped area of land to the southwest of Bicester between the A41 and Wendlebury Road. The site is bisected by the recently installed Vendee Drive link that connects the new A41 roundabout with Wendlebury Road. Beyond the A41 to the west lies the allocated and approved housing development of South-West Bicester and to the north lies the Bicester Avenue garden/shopping centre. To the south and east lies open countryside with the exception of the nearby chicken farm on the opposite side of Wendlebury Road.
- 1.2. The site is comprised of grassland with mature hedgerows and trees around the perimeter except along its boundaries with the new Vendee Drive link. Some pockets of vegetation and small trees are located within the site at its south-western corner.
- 1.3. A disused slip road lies beyond the southern edge of the site which was formerly part of the Wendlebury interchange. It is within the control of the applicant though not part of the application site. A public footpath passes through the south-eastern corner of the site from the disused slip road through to Wendlebury Road.
- 1.4. The majority of the application site is allocated within the Local Plan through Policy Bicester 10 as part of a wider business park to support knowledge based industry. The allocated site however covers a significantly larger area including land to the east of Wendlebury Road which surrounds the adjacent chicken farm premises. The allocation does not however include part of the southern section of the application site.

- 1.5. The application site itself is not subject to any specific statutory or local planning policy designations relating to heritage, landscape or ecological significance. The Bicester Wetland Reserve (a designated Local Wildlife Site) however lies further to the east and the Alchester Roman Town Scheduled Monument covers a significant area of land immediately to the south.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application has been submitted in outline with all matters reserved. As a result, the plans and drawings provided are for illustrative purposes only but are an attempt to demonstrate that the proposed development can be accommodated on the site and are an indication of what could subsequently be proposed. As a result, the detailed design, layout, landscaping and means of access to the development are not for consideration at this stage. Members are therefore considering the acceptability of the principle of the type of development proposed together with the amount. The application proposes a development consisting of two elements which the applicant describes as Phases 1A and 1B. Phase 1A comprises the smaller triangular shaped part of the application site to the north of the Vendee Drive. A hotel providing up to 149 bedrooms together with associated infrastructure is proposed on this land which the applicant indicates is expected to be developed first. Phase 1B consists of the larger remaining part of the site to the south of Vendee Drive on which the application proposes up to 14,972sq m of Class B1 development (which includes offices, R&D and light industrial uses).
- 2.2. The application also includes proposals to provide a new combined footway/cycleway along the A41, a new bus stop layby to the eastern side of the A41, a signalised pedestrian crossing of the A41 and other highway mitigation works including minor alterations to the A41 roundabout as well as a new mini roundabout in place of the existing priority junction between Vendee Drive and Wendlebury Road.
- 2.3. For clarity, the applicant describes the remainder of the allocated Bicester 10 site as Phase 2 in the plans and documents that accompany the application. Phase 2 is therefore indicated on illustrative plans but is not for specific consideration at this stage albeit regard must be had to it in considering the implications of the proposed development to determine whether anything in these proposals might prejudice achieving the overall requirements of Policy Bicester 10.

3. RELEVANT PLANNING HISTORY

- 3.1. There is no planning history directly relevant to these proposals.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. The following pre-application discussions have taken place with officers in regard to this proposal:

<u>Application Ref.</u>	<u>Proposal</u>
16/00145/PREAPP	Erection of 150 bed hotel

- 4.2. Officers received a pre-application enquiry proposing a hotel on land now referred to as Phase 1A. The proposal at that time did not include any Class B1 development. Officers raised some concerns about the proposal for a hotel on land allocated solely for Class B1 development and what the implications might be for delivery of the number and type of jobs sought by Policy Bicester 10. Officers indicated that in order to be able to consider a hotel proposal favourably on the site it would have to

be shown to act as a catalyst for the wider development of the business park rather than be a standalone proposal. Officers also recommended that further information be submitted to demonstrate that the hotel proposal could not be accommodated in a more sequentially preferable location with respect to Bicester town centre.

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately surrounding the application site that the Council has been able to identify from its records. The final date for comments was 16.02.2017, although comments received after this date and before finalising this report have also been taken into account.

5.2. Four third party representations have been received from those with various interests in the development. The following summarised comments have been made:

- The proposals on Phase 1 will create momentum and lead towards the development of the wider business park in due course;
- The development will help deliver employment and assist in the sustainable growth of Bicester;
- The hotel could prove a useful place for business meetings and guest accommodation;
- Site amenities such as a hotel are vital for the success for a new business park;
- Demand for overnight accommodation in Bicester is likely to increase and this hotel is needed to meet demand;
- The proposals would help generate a successful office sector in Bicester which to date has been lacking;
- Vendee Drive/A41 roundabout is dangerous and requires traffic signals. Increases in vehicle trips associated with the proposed development would increase further risk of accidents to which the Transport Assessment underestimates as it only records notifiable accidents which do not reflect real numbers;
- Accessing the Park & Ride from Bicester is difficult and exiting requires a long time for a suitable space to emerge in the traffic;
- The development will involve the removal of much of the existing semi-natural habitat across the site and its replacement with built development indicating that a net loss of biodiversity value is likely;
- A biodiversity accounting approach should be undertaken to establish the impact on ecological habitat given concerns regarding potential net loss.

5.3 Letters of support have also been received from Oxfordshire Local Enterprise Partnership and Experience Oxfordshire that draw attention to the benefits of encouraging business and tourism in the county.

5.4 The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

Parish/Town Councils:

Bicester Town Council – No objection though concern raised about increased traffic levels in the area as well as the access to the site.

Chesterton Parish Council – No objection however raises the following comments:

The proposals make no reference to upgrading the Wendlebury Road despite the considerable increase in traffic that will take place and there is no mention of the impact this will have on Chesterton. The proposals will surely increase 'rat running' through both Wendlebury and Chesterton. The proposals should also either directly deliver or provide funding towards making improvements to pedestrian/cycle accessibility between Chesterton and Wendlebury Road as it is likely that some employees would travel from Chesterton. Chesterton is also an expanding village and some of its residents may look to travel to work at the site by bus however the service has been withdrawn due to withdrawal of subsidies by Oxfordshire County Council. The proposals should include a financial contribution towards funding the costs associated with the diversion of an existing service into the village.

Wendlebury Parish Council – No objection but concerns raised about traffic generated by the proposed development using the village as a 'rat run', both north and south bound. A robust, enforceable travel plan is necessary to ensure that employees of the business park do not use the back road through the village.

Cherwell District Council:

Landscape Services

Cordell Design does not appear to be a registered landscape architectural practice with the Landscape Institute. The LVIA is deficient and should be improved for the following reasons:

1. Given that the site is flat and the outlying area is also flat, with intervening structural boundary vegetation, the zone of visual influence is not as extensive as one would envisage. However the scale, massing and height (incl. patina/colour) of the buildings will mean the zone of visual influence is going to be wider than proposed in Figure 4. The ZVI should therefore be revised once scale, height and massing is clarified.
2. Although the developing Kingsmere residential site will intervene and reduce the zone of visibility the new residents of Kingsmere will experience development's impacts and effect to a degree. Therefore future residential receptors will experience some visual harm, and this element should be considered in the LVIA.
3. There is no consideration of the landscape and visual impacts and effects of the development during the winter months when the leaves are off the trees and hedgerow. In this regard a revised Significance of Effect weighting must be considered.
4. We require more clarity of how the results have come about. Where are the landscape and sensitivity matrices? For example Magnitude of Change should be judged against Sensitivity of Receptor to determine Significance of Effect – refer to GLVIA3.
5. The building elevations to be indicated on visualisations/wireframes, based on mutually agreed viewpoints which will enable the landscape consultant to provide

an assessment at each viewpoint, to be clearly explained in terms of receptor sensitivity and rating: Magnitude of Change and sensitivity rating in a written statement in combination with the above matrix in item 4. The 3 story offices and the 5 story offices actual height above ground level must be identified the design and access statement currently does not indicate the actual measured heights of the buildings – the proposed elevations would be very helpful.

6. In view of items 1 -5 the Slightly Adverse judgement can be challenged.
7. There must be sufficient landscape buffering and screening which incorporates existing/retained structural vegetation. The Significance of Effect weighting is to be determined at years 1 and 15, taking into account growth rates of the structure planting.
8. The hotel site (Phase 1A) will require a landscaped buffer zone to the car park against the A41. The parking bays are proposed to be on the application site boundary which does not allow sufficient tree planting on this boundary to address landscape/visual impacts.
9. The distance between the hotel elevation to the site boundary on the A41 is only 6 m (approx.) This depth does not allow the growth of large, mitigating trees. This depth must therefore be increased to allow the planting of such trees.
10. Increase the number of car park trees.
11. Detailed hard and soft landscape proposals, along with hard and soft tree pit details are required.

Business Support Unit

It is estimated that this development has the potential to secure Business Rates of approximately £468,900 per annum under current arrangements for the Council.

Economic Development

This outline proposal to create 'Bicester Gateway Business Park' is welcomed, a key employment site and component of the Adopted Local Plan.

Planning and Economy Overview

The Planning Statement & Statement of Community Involvement appear sound, as does the Sequential Test. However, I would be happy to provide further views on any element of the submissions.

The proposal to construct the hotel ahead of the offices is understandable and should facilitate the attraction of key 'knowledge based' business investment that is central to the Council's economic development strategy.

Hotel & Visitor Market

The hotel market in Bicester has performed well in recent years, leading to the expansion of Bicester Hotel & Spa at Chesterton, the continued town centre operation of the Littlebury Hotel and the entirely new Premier Inn and Travelodge. Whilst visitors to Bicester Village are important to all hotels, the demand for overnight accommodation also includes executives and tradespeople working locally, people passing through on the strategic road network, and many other leisure visitors from the UK and overseas. With considerable further development planned for Bicester, the need and demand for further overnight accommodation is to be expected. This particular proposal has the potential to differentiate itself from other hotels in and around the town through its scale, prominence and unique location providing a 'business hub' to serve the needs of other businesses by being integral to the operations within subsequent phases of the Business Park.

Access

In considering the inter-relationships between the large format sites alongside the A41, it is of paramount importance to carefully manage vehicular access and to integrate pedestrian and cycle ways. This is not only fundamental to the garden town philosophy and to the creation of a sense of place where people choose to

spend time – both indoors and out - is also of practical importance to the workforce, residents and visitors being able to easily access the site and to move between sites.

Design

The intention to use high quality building materials and design are indicated and I would support this approach, rather than mitigating a poor design through over-planting alongside the A41. This will be particularly important if the site is to attract globally-renowned business occupiers.

Ecology

The Ecological Assessment states that a Phase 1 habitat survey was carried out in April 2016. During this visit trees were inspected for bat potential; signs for badger presence and on-site reptile refugia disturbed. A second survey for bats was undertaken in September 2016 to include a transect survey and two static detectors were left overnight. In the Amphibians (section 5.4) the Ecological Assessment refers to 2013 surveys on ponds nearby that found no records from Great Crested Newts and that "checks of suitable refugia within the application site did not reveal the presence of any amphibians". Although, the report then states that the habitat for grass snake is sub-optimal.

It is noted that the TVERC data was generated on 13th May 2016 after the Phase 1 survey had been carried out and so did not inform the site visit. Therefore, species records not considered prior to the site visit include barn owl (Bicester Wetland Reserve), grass snake (recorded on site (28/07/1987 - field record) and otter (Bicester Wetland Reserve). Similarly, the report references the use of the NBN Gateway as an information source despite the website clearly states that the data on the site is not to be used for commercial purposes.

Our concern is that there has not been enough survey effort to determine the presence or absence and use of protected species onsite.

Bats:

The Bat Conservation Trust Guidelines suggest for low suitability habitat for bats the following surveys are required:

- Transect/spot count/times search surveys: One survey per season (spring - April/May, summer - June/July/August, autumn - September/October); and
- Automated/static bat detector surveys: One location per transect, data to be collated on five consecutive nights per season (spring - April/May, summer - June/July/August, autumn - September/October in appropriate weather conditions for bats.

Without this information one cannot determine how the pipistrelles or other bats missed through no-seasonal surveys are using the site or its boundary features and how any entrance feature(s) into the site could disrupt this activity.

Otters:

Otters have been recorded on the Bicester Wetland Reserve and there is a watercourse that links this site with the reserve and no mention of this is included in the Ecological Assessment.

Grass Snake:

A Grass snake, albeit 1987, has been recorded on site and there is a wetland reserve hydrologically linked to the site. If grass snake persists on the site then an April survey of looking under naturally occurring refugia does not follow national guidelines.

Barn Owl:

Barn Owls have been recorded on and/or adjacent to the Bicester Wetland Reserve and semi-improved grassland would provide suitable habitat for their prey species, however, there were no surveys for this species nor a reference to them in the Ecological Assessment.

Great Crested Newts:

Although the statements in the Ecological Assessment may be correct the evidence to back this up has not been submitted.

Botanical Surveys:

April (actual date unknown) is not the best time to survey grassland, guidelines recommend late May to early July. To accurately assess the grassland's condition a survey at these times for lowland meadow would be required.

Recommendations: Further surveys are required to determine the presence or absence of the above species and how they use the site throughout the year. The current indicative layout does not illustrate how either Phase 1a or Phase 1b have flexibility to compensate for these species, should they be found to occur on the site at a later date. It is also recommended that the supporting evidence for the great crested newt absence statements within the Ecological Statement is submitted as part of this application.

Biodiversity Impact:

Phase 1a has been shown to have a biodiversity loss. Ecology Solutions (applicant's ecological consultants) suggest a loss of 2.3 biodiversity units using the Warwickshire Biodiversity Impact Assessment Defra metrics. Phase 1b suggests an additional loss of 4.39. Due to the lack of an accurate assessment of the grassland the actual impact could be greater than this; our calculations suggest a potential impact of 6.82 and 15.22 biodiversity units loss respectively. Indicatively this could infer Biodiversity Offset costs of £212,700 and £463,900.

Recommendations: That Biodiversity Offsetting is included within a Section 106 obligation to ensure no net loss. However, it is strongly recommended that this is informed by an appropriate assessment of the grassland to assist with any viability assessment for the phases.

Conclusions:

There is not enough survey data to inform how this development (phase 1a and/or 1b) will impact on protected species and as such it does not accord with the ODPM Circular 6/2005, local authority NERC Duties (2008) and the Habitat Directive (2010). Therefore, it is recommended that the application is refused until further surveys are carried out.

Oxfordshire County Council:

Transport

OCC continue to object to the proposed development and maintain that an assessment of the transport impacts of developing the entirety of Bicester 10 (i.e. Phases 1 and 2) is a necessary part of ensuring that each component part provides its appropriate share of this overall mitigation. However, it is recognised that Policy Bicester 10 does not explicitly require this. The objection is made on the basis that:

- Traffic impact has been assessed in isolation without considering the wider impact of Bicester 10 with the risk that adequate mitigation for the wider site will not be provided.

- There are outstanding queries with the methodology of the Transport Assessment (TA) including the rationale for only subtracting the main flows associated with Bicester 10 development from the Bicester Traffic Model, i.e. inbound in the am peak and outbound in the pm peak, in order to get back to a base scenario upon which to assess the addition of the development. However, even if the minor flows are small, it slightly inflates the base case thereby potentially reducing the proportional impact of the development and gives a false forecast of turning movements and junction capacity. The difference could be minor but on the other hand the methodology chosen could be masking some impacts.
- Without minor alterations to the A41/Vendee Drive roundabout, the traffic congestion would become severe by 2024 following full occupation of the office development. The proposed mitigation scheme is relatively minor and involves increasing the entry width at the Vendee Drive arm by less than 1 metre by reducing the width of the splitter island, with no increase in effective flare. On the Vendee Drive Link arm, the scheme involves increasing the effective flare by 11m. Whilst our preference would be for a more substantial scheme with longer lasting effect and capable of mitigating the impact of the whole of Bicester 10, it is acknowledged that the residual impact of Phase 1A and B with this mitigation scheme as modelled is not severe in terms of queues or delay. The developer should commit to providing this mitigation scheme by 2024.
- However, by 2024 the junction between Vendee Drive and Wendlebury Road would be operating above capacity and the modelling indicates the need for mitigation at this junction. The applicant disputes the 2024 modelled flows on Wendlebury Road from the Bicester Transport Model, and it is on this basis that they propose a 'monitor and manage' arrangement, which OCC does not accept. OCC recommend that a sensitivity test is undertaken (with traffic flows to be agreed with OCC), to understand the impact that a potentially lower flow on Wendlebury Road might have. The proposed mini roundabout scheme may need some design tweaks to ensure adequate visibility, and would rely on a 30mph speed limit being introduced. Nevertheless it is required to mitigate the predicted impact of Phase 1A and B by 2024 and therefore the developer should commit from the outset to providing it.
- The plan submitted demonstrates that suitable visibility for the hotel access can be achieved even if the TRO to reduce the speed limit is not successfully made, with appropriate clearance of vegetation and assuming the land up to the highway boundary is in the control of the applicant. Although plans have not been supplied showing visibility splays for access(es) to the offices, with the reduction in speed limit to either 40mph or 30mph it should be possible to provide adequate visibility splays with appropriate clearance of vegetation and assuming the land up to the highway boundary is in the control of the applicant. A reduction in speed limit to 30mph, necessary for the mini roundabout, may require some additional traffic calming features. A s106 planning obligation is necessary to require the developer to enter into a S278 agreement for the mini roundabout scheme prior to commencement of Phase 1B to ensure that the office development does not go ahead without ensuring that it is delivered in time to mitigate the impact of the development.
- The TA and Technical Note acknowledge the impact of the development on the A41 corridor. Therefore it should be possible to agree a strategic contribution, with an appropriate trigger, towards a scheme to relieve traffic congestion on this corridor, rather than leaving it for future assessment. Further details and justification for our proposed contribution will follow.
- The proposed number of parking spaces shown is sufficient but it is recommended that a car park management plan is conditioned.
- There are currently no other developments that could be required to contribute towards a crossing of the A41 here. As the hotel is proposed to open first, and as a crossing is required for sustainable, suitable and safe access to the hotel, it is our opinion that it must be provided by the developer in advance of the first occupation

of the hotel, along with the bus infrastructure. We require drawings showing the indicative design of the crossing in conjunction with the proposed bus stop and a S278 agreement to be agreed prior to commencement. We believe that the requirement for RTI is justified in order to maximise opportunity for sustainable travel. Given the location and particularly the potential for overseas tourism, we consider that there is a strong likelihood of visitors wanting to access the hotel by public transport.

- Off-site highway works required in connection with access to the proposed hotel (vehicular access, crossing, bus stop, cycleway/footway north of the roundabout) should be secured and agreed prior to commencement, with the works themselves being required prior to occupation. Likewise, off-site highway works associated with Phase 1B should be secured and agreed prior to commencement of phase 1b – this would include the cycleway/footway south of the roundabout, the Vendee Drive roundabout mitigation scheme, and the Wendlebury Road junction mitigation scheme. The cycleway/footway would be required to be delivered prior to occupation of phase 1B. The mitigation works could be required by a later trigger point.
- As explained, OCC is not satisfied with there being no upfront commitment to deliver mitigation. The reliance on a future transport assessment runs the risk of this not being agreed within the timeframe for delivery. Even if it were possible to agree such a complex S106, the monitoring would be highly complex requiring numerous notifications to be programmed in which in practice would be unworkable.

Drainage Engineers

Following the receipt of further supporting information and the proposed inclusion of swales within the development to manage and treat rainwater, the proposals should be able to be served by an appropriate sustainable drainage scheme as part of detailed subsequent proposals that ensure no increase in surface water discharge from the site would occur beyond pre-development levels. Conditions are recommended to be imposed on any grant of outline planning permission.

As the site is identified to be located with Flood Zone 1 as defined by Environment Agency flood mapping, the proposed development is considered to be at a low risk of flooding from any source.

Archaeology

The site is located in an area of considerable archaeological interest immediately north of the scheduled Roman Town of Alchester (SM 18). An archaeological evaluation has identified a number of Roman deposits within the area of the site which is shown as proposed for car parking. These deposits are proposed to be preserved in situ in line with a preservation strategy submitted with the planning application. A programme of archaeological investigation and mitigation will still be required for the rest of the site but following the removal of any built development proposals from the area identified to contain dense Roman deposits we are satisfied that this can be secured through appropriately worded conditions.

Economy

The proposed development would create a significant number of new jobs at end user stage which is welcomed. To ensure that the development enables local people to better access the training and job opportunities arising from the development, a Community Employment Plan (CEP) should be required and implemented through imposition of a planning condition. A CEP should relate to outcomes from both the construction and end user phase.

External Consultees:

Historic England

Policy Bicester 10 requires that the setting of the scheduled monument should be conserved and enhanced and opportunities should be set out to better reveal its significance. In our view, this might be better achieved if the outcome for the whole of Bicester 10 is understood at the outset.

The proposed development appears to relate to only a part of the whole of Bicester 10, and in fact appears to relate largely to the construction of a hotel. The impact from this particular proposal on the significance of the scheduled monument through the impact upon its setting would be limited to the southern end and in our view the harm would be minor. We are concerned however that this proposal is limited to this area and the overall impact of subsequent development throughout Bicester 10 cannot yet be assessed as a whole. The area labelled as Future Phase II has considerably greater potential to impact upon the setting of the scheduled monument and we feel that it might be premature to accept this development without understanding the final outcome. We also have concerns in relation to a potential south-eastern peripheral road, and we raised these in our consultation on the Proposed Submission Plan. We understand that Oxfordshire County Council has considered possible routes for such a route and has requested your authority to safeguard a southern route which would pass around the south side of the scheduled monument. We have made clear to them that we do not understand the basis upon which this choice has been made, and that it remains possible that a more northerly route would have less of an impact. In our view the County Council does not have the necessary information to make an informed decision. Our concern here is that the more northerly route would pass through Bicester 10, and we would not wish to see any development here which might preclude that option if it was found to be the preferable one.

Thames Water

The existing water supply and wastewater infrastructure has insufficient capacity to meet the additional demands of the proposed development. Conditions should therefore be imposed preventing development until capacity studies have been submitted and approved by the LPA in consultation with Thames Water to determine any new additional capacity required in the system and suitable connection points.

Berkshire, Buckinghamshire & Oxfordshire Wildlife Trust (BBOWT)

In accordance with paragraph 109 of the NPPF (National Policy Planning Framework) and Policies ESD10 and Bicester 10 of the Cherwell Local Plan, development on this site should achieve a net gain in biodiversity. Being mindful of the current nature of the site and in the absence of information that clearly demonstrates a net gain I am unconvinced that a net gain is currently being achieved. Experience elsewhere has shown that use of Biodiversity Accounting Metrics such as the ones developed by Defra, the Environment Bank or Warwickshire County Council can be useful in quantifying losses and gains in biodiversity to check that a net gain is being achieved. The applicant should check with the local authority ecologist which metric to use.

There is little evidence of biodiversity being integrated into the development in accordance with Local Plan Policy ESD10 and paragraph 118 of the NPPF, which encourages opportunities to incorporate biodiversity in and around developments. I would expect a development in this location (gateway location, Bicester Eco town) to set exemplary standards for biodiversity in built development. This could include green roofs, green walls, sensitively managed native street trees, diverse road verges, and the incorporation of integral wildlife boxes where possible.

We are also concerned that the ecological effects of the development on designated sites and species are assessed for the first development phase only rather than comprehensively for the Bicester 10 site as a whole and in the wider development context. The development affects the most westerly part of the larger strategic development site of Bicester 10, the latter of which extends eastward up to the Bicester Wetland Reserve LWS (Local Wildlife Site) encompassing the District Wildlife Site of Promised Land Farm. An ecological survey has been carried out by Ecology Solutions Ltd for this application. The survey did not find any protected or notable habitats or species on site or immediately adjacent to the site. The report does also not identify any significant adverse effects on the nearby LWS (Local Wildlife Site). I don't question the findings of the survey but consider it insufficient to assess the effects of this development in isolation.

Future development phases of Bicester 10 will include the grasslands of Promised Land Farm up to the boundary of the LWS bringing development close to the reserve. I am concerned that it is proposed to assess the impacts on the LWS as part of future development phases rather than considering effects comprehensively and cumulatively at this stage. This is in line with Bicester 10 policy, which states amongst other things: "...An ecological survey should be undertaken, investigating the cumulative impacts of development at this site and at other sites on the Local and District Wildlife Sites in the vicinity. ..."

In addition, other strategic development sites are located to the north (Bicester 4) and northeast (Bicester 2 – Graven Hill) of the LWS, so that the reserve might be almost completely surrounded by development in the future. I am concerned about the effects this might have on the ecological interest of the LWS and the ability for it to be managed for nature conservation in the future. I consider it important that the effects on this site are comprehensively assessed.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning legislation requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLPP1)

- SLE1 - Employment Development
- SLE2 - Securing Dynamic Town Centres
- SLE3 - Supporting Tourism Growth
- SLE4 - Improved Transport and Connections
- ESD1 - Mitigating and Adapting to Climate Change
- ESD2 - Energy Hierarchy
- ESD3 - Sustainable Construction
- ESD4 - Decentralised Energy Systems
- ESD5 - Renewable Energy
- ESD6 - Sustainable Flood Risk Management
- ESD7 - Sustainable Drainage Systems (SuDS)

- ESD8 - Water Resources
- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 - Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built Environment
- ESD17 - Green Infrastructure
- BICESTER 10 - Bicester Gateway
- INF1 - Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- T2 - Proposals for hotels, motels, guest houses and restaurants within settlements
- C8 - Sporadic development in the open countryside
- C28 - Layout, design and external appearance of new development
- ENV1 - Development likely to cause detrimental levels of pollution
- ENV12 - Development on contaminated land

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

8. APPRAISAL

8.1 The key issues for consideration in this case are:

- Principle of the Proposed Development;
- Access and Transport Impacts;
- Design, Appearance and Impact on the Character of the Area;
- Ecology;
- Impact on the Historic Environment;
- Flood Risk/Drainage;
- Energy Efficiency/Sustainability;
- Planning Obligations(s);
- Local Finance Considerations.

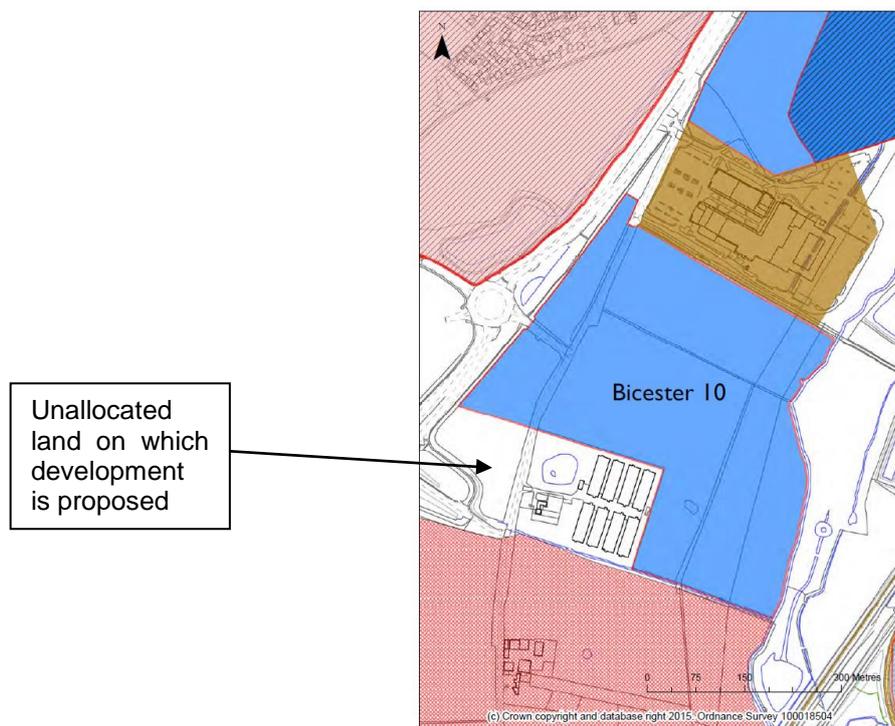
Principle of the Proposed Development

8.2 Policy Bicester 10 allocates an area of land (as shown in the Policies Map) to the southwest of Bicester (described as Bicester Gateway) for the provision of Class B1 (office, R&D, light industrial) development based on high-tech knowledge industries. The policy suggests that approximately 3500 jobs could be delivered through such development on the site. The supporting text to Policy Bicester 10 explains that the site has the potential to be a major high quality employment area at a critical gateway into the town and that there is an opportunity to encourage the knowledge economy associated with Oxford to locate to Bicester.

8.3 The application relates to a small part of Bicester 10 between the A41 and Wendlebury Road. This land is separated into two by Vendee Drive. The smaller triangular shaped northern parcel of land is proposed to accommodate up to a 149 bedroom hotel whilst the larger southern section of the site is proposed to accommodate up to 14, 972 sq m of Class B1 development. The applicant describes the land associated with the hotel proposal as Phase 1A and the land associated with the Class B1 development as Phase 1B. The land actually allocated through

Policy Bicester 10 is however significantly larger than the application site and includes land to the east of Wendlebury Road which the applicant refers to as Phase 2. The applicant currently has no control over the land known as Phase 2. Whilst not desirable in planning terms, there is no restriction on applications being submitted that relate to only part of an allocated site as is the case here. It is however important that in considering such an application that due regard is given to any difficulties or potential adverse impacts that the current proposals may have on later phases of development that might prejudice the ability to achieve the overall requirements of the allocation policy. Consequently, there is no reason in principle to object to this application on the basis that it relates to only part of an allocated site though in considering the application officers and Members do need to be mindful of the wider implications of the proposed development on the overall requirements and objectives of Policy Bicester 10.

- 8.4 The application proposes up to 14,972 sq m of Class B1 floorspace on the southern parcel of land referred to as Phase 1B. This type of development is in accordance with the purposes for which the site is allocated through Policy Bicester 10 and so the principle of such a development is acceptable subject to compliance with other detailed requirements of the policy. However, the proposals depart from the provisions of Policy Bicester 10 in two ways and as such the application has been publicised by the Council as a departure from the development plan. First, the application proposes up to a 149 bedroom hotel on the northern parcel of land (Phase 1A) which differs from the Class B1 (office/light industrial) development supported by Policy Bicester 10. Second, some of the Class B1 development proposed on the southern part of the site includes land that is not specifically covered by Policy Bicester 10 as shown in the adopted Policies Map (extract shown below).



- 8.5 In addressing the potential acceptability of the principle of these departures from adopted planning policy, officers will first consider the matter of the proposed encroachment of Class B1 development into unallocated land.

- 8.6 The boundary of the Policy area, as shown on the above extract from the adopted Policies Map is peculiar in that after following the boundary of the existing chicken farm, the southern boundary line of the allocation continues in a straight line over to the edge of the A41. There is no delineating built or natural boundary that this line follows and it simply cuts across a field. Officers can think of no logical reason why the boundary line should have been drawn in this way and, whilst it forms part of an adopted policy document, following further discussion between officers in the Development Management and Planning Policy teams it appears likely that the map has an error and that Bicester 10 should instead have included the land to the southwest up to the boundary with the disused slip road. Nevertheless, even with this apparent error the Policies Map forms part of the Development Plan and the application must be assessed against it.
- 8.7 The unallocated land comprises grassland surrounded by hedgerows along the western, southern and eastern boundaries. The northern boundary is open and the land blends into a wider grassland field comprising the allocated Bicester 10 site. Policy C8 of the CLP 1996 seeks to resist sporadic development in the open countryside and is thus material in this respect. This policy has weight but as a wholly restrictive policy it is not necessarily completely consistent with current national planning policy in the NPPF. Policy ESD13 is up-to-date and resists development proposals where they would cause undue visual intrusion into the open countryside or be inconsistent with local character.
- 8.8 Whilst the proposals would result in the loss of countryside, the remaining technically unallocated part of the application site is very contained by existing vegetation rather than appearing to form part of wider open countryside. Furthermore, its retention as isolated, vacant and unusable grassland would appear wholly incongruous adjacent to the new business development given that it so clearly and logically forms part of the same piece of land. For this reason officers have concluded that its development would not be materially harmful to the intrinsic attractiveness of the open countryside and neither would it cumulatively have any materially greater local or wider landscape impact than that caused by development of the rest of the allocated site. Consequently, whilst the proposals would result in some new built development on unallocated greenfield land, officers are satisfied that for the above reasons this would not have a materially adverse effect on the natural landscape and would help deliver further employment development on land that would, if left undeveloped, have little environmental, economic or social value.
- 8.9 Turning now to the matter of the proposed hotel, at its heart Policy Bicester 10 seeks to create a business park providing premises for knowledge based industries. Any loss of land to other types of development reduces the availability of land on which such premises could be provided and could therefore affect the underlying purpose of the allocation as well as affect the number and type of jobs created through development on the overall site. Given that planning legislation requires decisions to be taken against the provisions of the development plan unless material considerations indicate otherwise, the starting point would ordinarily be to view the proposals unfavourably in this regard due to their apparent conflict with up-to-date development plan policy.
- 8.10 However, officers agree with the applicant that it is often very difficult to secure the first occupier on a new employment site and that once one premises is operational, others often quickly follow. This is because businesses are reluctant to commit to the disruptive process of moving premises until there is complete certainty surrounding timescales, infrastructure and the site circumstances. Whilst officers do not necessarily consider a hotel or similar development to be a prerequisite for a modern business park (and there are numerous new examples without one), officers are receptive to the notion that a business amenity (such as a hotel with associated

conference/meeting facilities) is an attractive feature which, once committed, has the potential to act as a catalyst for other interest of the kind directly supported by Policy Bicester 10. Not only would the hotel, once operational, give the impression of the whole site being 'open for business' it would also provide useful meeting facilities for nearby businesses as well as overnight accommodation for visitors/customers. Indeed it is on this basis that the applicant has proposed the development with an initial phase for the hotel (Phase 1A) and a second phase (Phase 1B) with Class B1 development proposed on the remainder of the site.

- 8.11 In addition to potentially providing an attractive amenity to business, officers are also conscious that the construction of the hotel would necessitate provision of power, gas, water, sewage and communications infrastructure to the site which would in turn enable straightforward connection to subsequent business premises thus reducing time and cost implications for an interested business occupier. This would further help to encourage businesses to develop new premises on the site. It is also worth noting that whilst the hotel would not be expected to deliver jobs to the same extent or perhaps skills level as other employment types might do, it would still generate a reasonable level of employment and given the nature of many the jobs (part time, lower skilled, seasonal) it is likely that a high proportion of the jobs would be filled within the local population.
- 8.12 With the above in mind, officers have concluded that whilst the hotel proposal is in conflict with the specific provisions of Policy Bicester 10 it has the potential ability to help facilitate further Class B1 development on the site and thus help deliver on the wider long term objectives of Policy Bicester 10. In coming to this view officers have been mindful of the circumstances on the nearby allocated Bicester 4 site which also has had the benefit of outline planning permission for a significant amount of Class B1 development since 2008. The re-location of the Tesco superstore to the front of this site was partly predicated on the basis that it could help act as a catalyst to interest from prospective developers of Class B1 premises but this has so far not proven fruitful. However, in comparison to the food superstore, officers believe that a hotel would provide a more complementary, attractive and higher quality amenity that is directly relevant to businesses. For this reason officers do not consider that the experience to date on Bicester 4 is of particular relevance to the merits of this proposal.
- 8.13 In further considering the principle of the development of a hotel on the site, officers also have to be mindful that such a use is defined as a Main Town Centre Use in both Policy SLE2 of the Cherwell Local Plan as well as the NPPF. In order to maintain and enhance the vitality and viability of town centres, such developments should first look to be provided on suitable and available sites in a town centre before considering edge of centre and then out of centre locations. The application site constitutes an out of centre location for these purposes. The process of considering the availability of such alternative sites is known as a sequential test.
- 8.14 The applicant has submitted a document to address the requirement for a sequential test. Officers do not however consider the approach set out in the document to be completely robust. It considers the suitability and availability of sites on the basis of the whole of the proposed development rather than simply the hotel element. As the site is allocated for Class B1 development (also a Main Town Centre Use) it is not necessary to apply the sequential test to this. Given that the hotel is a separate element (on a discrete parcel of land) that does not in any way rely on the Class B1 development to operate (and indeed is shown to be phased so that this could occur), officers are of the view that in order to be a robust sequential test it could and should have been disaggregated from the remainder of the Class B1 proposals and sequentially tested on that basis. The applicant has not therefore assessed suitable and available sites for a proposal similar in scale and format to the hotel

element alone and it is not clear whether other sites might be available in a more sustainable location closer to the town centre and thus help reinforce town centre vitality.

- 8.15 Notwithstanding any deficiencies in this regard however, officers are mindful that if the hotel was provided in an alternative location closer to Bicester town centre it would not be fulfilling its role as a potential catalyst and amenity to further Class B1 development on the allocated site. Moreover, whilst the proposed hotel would be located on the edge of Bicester it should be recognised that overnight accommodation (either for leisure or business purposes) would provide additional visitors to the town and that at least some of hotel guests would venture into the town centre, helping to support both the day and night time economy. It should also be noted that both the Council's Economic Development team and North Oxfordshire Tourism Study 2014 (which forms part of the Local Plan evidence base) have identified that there is a shortfall in overnight accommodation within Bicester due to a combination of increased population growth, increasing affluence and growth in overnight visitors to attractions such as Bicester Village.
- 8.16 Taking the above together, officers are content that the provision of a new hotel would bring about economic benefits both generally and to Bicester 10 itself that would outweigh the loss of part of Bicester 10 to a use other than that for which it is specifically allocated. Furthermore, as a result of the application proposing Class B1 development on unallocated land to the southwest, there should not be an overall net reduction in land available to provide the development that Policy Bicester 10 supports. On this basis officers are satisfied that the principle of the overall proposed development is acceptable.
- 8.17 Notwithstanding the above, Members should note however that the applicant is proposing the hotel and the Class B1 development in two separate phases which each stand alone and can be delivered in isolation. As a result, there is no guarantee that the development of a hotel would swiftly lead to delivery of the Class B1 development. However, on balance, officers are content that the hotel would act as a sufficiently attractive first occupier on the allocated site (in addition to the other economic benefits previously outlined above) and thus increase the likelihood of the overall objectives of Policy Bicester 10 being realised.
- 8.18 Members should also be aware that despite the provisions of Policy Bicester 10 and the applicant's claims of intent, there is no specific commitment as part of the application towards ensuring that the Class B1 development that takes place is occupied by high-tech or knowledge-based businesses. As a result, there is nothing to suggest that this first phase of the wider allocated business park would provide anything more than generic office or light industrial employment space. However, given recent difficulties in securing Class B1 development in Bicester, officers are disinclined to seek to require or impose further restrictions on the nature of the business occupiers that could prejudice delivery of employment on the site though such approaches have been known to have taken place successfully elsewhere such as at Oxford Science Park though in different market circumstances. If Members were to disagree however and wish to seek to specifically control the nature of the businesses on the site as part of granting planning permission, officers could explore the use of appropriate conditions or planning obligations to secure this.
- 8.19 In conclusion therefore on matters of principle, officers are satisfied that the proposed Class B1 development on the allocated Bicester 10 site has already been established as acceptable in principle through allocation of the site in the CLPP1. Whilst other elements of the proposal do not specifically accord with the requirements of Policy Bicester 10, on balance, officers are satisfied that the

provision of the hotel as well as further development on unallocated greenfield land would assist in achieving the wider economic objectives of the development plan and that their benefits generally outweigh their harm. As a result, the overall principle of the proposed development is found to be acceptable.

Access and Transport Impacts

- 8.20 Policies Bicester 10 and SLE4 of the CLPP, inter alia, require new development to maximise opportunities for access to sustainable modes of travel. The policies also seek improvements to the highway network to mitigate significant adverse impact of traffic generation resulting from new development. Policy Bicester 10 also adds that development on the allocated site should safeguard land for future highway improvements.
- 8.21 Policy Bicester 10 also requires provision for safe pedestrian and cyclist access from the A41 including facilitating the provision and upgrading of footpaths and cycleways to improve links between the site and surrounding development as well as the town centre. The policy also requires maximisation of walking and cycling links as well as a high degree of integration and connectivity between new development on Bicester 10 and the new mixed use urban extension at South West Bicester, the existing garden centre to the north as well as Bicester Village and Bicester town centre. Accommodation of bus stops to link new development on Bicester 10 to the wider town are also required by the allocation policy.
- 8.22 The application is made in outline and, somewhat unusually, access is proposed to be a reserved matter meaning that the means of access to the proposed development is not fixed at this stage. Nevertheless, it is a legal requirement for an application to indicate points of access and the applicant has done so in the submitted plans.
- 8.23 Vehicular access to the hotel (Phase 1A) is shown to be via a single priority junction onto Wendlebury Road approximately midway along the site's eastern boundary. OCC as the local highway authority (LHA) has reviewed the proposal and concluded that due to the straight alignment of the road and availability of adequate visibility splays, there is no suggestion that a suitable means of vehicular access could not in due course be provided to the hotel. This is the case even at the current national speed limit though it is proposed to reduce the speed limit along this stretch of Wendlebury Road to 40mph which would require OCC to make a Traffic Regulation Order (TRO) for which financial contributions are sought through a planning obligation. As access is a reserved matter, the precise means of vehicular access to the hotel would have to be proposed and assessed as part of a subsequent reserved matters application.
- 8.24 With respect to the southern section of land on which Class B1 development is proposed (i.e Phase 1B), the illustrative plans submitted indicate two potential vehicular access points from Wendlebury Road. Whilst the precise means of access would need to be determined as part of reserved matters, OCC has advised that there is no reason to conclude that such accesses would be unsuitable or unsafe at the proposed reduced 40mph speed limit. The applicant has not however demonstrated that suitable visibility splays would be available at the existing national speed limit and so officers would recommend that in the event that outline planning permission is granted that a condition is imposed preventing any development on Phase 1B until the speed limit has been formally reduced by OCC through a TRO. There is no suggestion from OCC that proposals along the lines of the type indicatively shown would cause unsafe or difficult manoeuvring for delivery or servicing vehicles (including for refuse collection) into and out of the two parts of the site and as such there is no reason to conclude at this stage that Wendlebury Road is too narrow or unsuitable to serve the proposed development.

- 8.25 As described previously, it is an important requirement of both local and national planning policy to maximise opportunities for sustainable travel to and from new development both in terms of walking/cycling and public transport. To this end the applicant is proposing a new 3m wide combined footway/cycleway within the verge of the A41 that would run all along the western boundary of the site and link into the disused slip road at the site's southern boundary. This footway/cycleway would feature numerous points of access into the development though the details of this would need to be resolved at reserved matters stage. This work would need to take place on public highway land and OCC has indicated its support for this. These works would be phased to ensure that the relevant sections of the footway/cycle are completed (including lighting) prior to first occupation of development on Phase 1A and 1B respectively. The applicant is also proposing further works to the public highway away from the site to ensure that there is suitable means for pedestrians/cyclists to cross at existing junctions when heading to/from the town centre. Such works are considered to be appropriate and necessary and would need to be secured through a planning obligation.
- 8.26 An existing footway runs along the part of Wendlebury Road adjacent to Phase 1A and turns the corner into Vendee Drive. As a result, there would be pedestrian connections towards the town centre and adjacent garden centre development using either the new footway/cycle along the A41 or via the existing footway. The existing footway however terminates shortly before the entrance to the garden centre development on the opposite side of Wendlebury Road. However, the land necessary to provide an extended footway is not within the applicant's control and so further works are not proposed to take place. Nevertheless, even without this officers are satisfied that the proposed new combined footway/cycleway together the extent of existing footway ensures suitable and safe access to and from the development by both pedestrians and cyclists.
- 8.27 Policy Bicester 10 specifically requires provision of new bus stop facilities along the A41 to serve the development. The S5 service provided by Stagecoach currently passes the site via the A41 and links Bicester with Oxford. Alterations are proposed to the existing layby on the A41 adjacent to Phase 1A in order to accommodate a new bus stop in the southbound carriageway verge and OCC has confirmed that they are satisfied with these proposed works which would need to be secured through a planning obligation if planning permission was to be granted. It is however recognised that crossing the A41 to reach the northbound bus stop would be undesirable and potentially dangerous for pedestrians and so the applicant has agreed to provide a new signalised crossing of the A41 in the vicinity of the site to which OCC approve. The applicant has also offered to provide electronic real time passenger information displays at the bus stops to encourage their use by both future employees as well as guests of the hotel. Such works would need to be secured by planning obligation and required to be provided in advance of first occupation of the any part of the proposed development.
- 8.28 Consequently, in terms of matters of accessibility, officers are satisfied that the proposed development is able to be served by safe and suitable vehicle access whilst also taking the opportunities available to encourage sustainable modes of transport in accordance with the requirements of Policies SLE4 and Bicester 10 of the CLPP1.
- 8.29 In accordance with the requirements of Policy Bicester 10 the applicant has submitted a Transport Assessment (TA) in support of the application. Amongst other things this assesses the likely impact of the proposed development on the local highway network both at the time of the projected first opening of the development (2018/19) as well as in 2024. The TA has concluded that the operation of the

proposed hotel by itself (either in 2018/19 or 2024) causes no cumulatively severe adverse impact on the safety and operability of the local road network and so consequently no direct off-site highway mitigation is required. Broadly speaking, OCC agree with this conclusion and as result there is no reason to restrict or object to Phase 1A of the proposed development in this regard.

- 8.30 The traffic impacts associated with Phase 1B of the proposed development are a little more complicated but in essence the expected vehicle trip generation is expected to cumulatively cause severe problems at the A41/Vendee Drive roundabout as well as at the Vendee Drive/Wendlebury Road junction at some point between 2018/19 and 2024. This worsening is, in part, due to increased general background traffic growth on the network as well as the impact of other approved/committed developments in the local area. As a result, the TA recommends a couple of measures to ensure that the proposals result in no detriment to the highway network. The first involves alterations to lanes at the A41/Vendee Drive roundabout to increase capacity which OCC agrees is both necessary and appropriate and such works would have to be secured via a planning obligation. The second involves the creation of a new mini roundabout to replace the existing priority junction between Vendee Drive and Wendlebury Road. The mini roundabout would be installed within the existing extent of the public highway and would require a further speed limit change down to 30mph. A scheme for this has been submitted by the applicant and, whilst OCC has indicated that modifications to this scheme are necessary, they have confirmed that a suitable similar scheme is deliverable and do not object to the proposed approach. The mini roundabout works would need to be secured through a planning obligation.
- 8.31 To complicate matters slightly, it is necessary to be mindful of avoiding anything that might prejudice successful delivery of development across the remainder of Bicester 10 in the manner provided for by the allocation policy. The applicant has however demonstrated that there is sufficient land left available either side of Vendee Drive to allow for future widening of the Vendee Drive link so that it can facilitate a more comprehensive highway solution that accommodates more traffic in order to serve development on Phase 2 of Bicester 10. Officers are comfortable that there is nothing within the current proposals that would seem to prejudice the ability to achieve suitable access to a future wider business park. However, providing suitable vehicular access to Phase 2 is likely to see the need for a more significant roundabout as well as associated alterations to the alignment of Wendlebury Road with the result that any aforementioned mini roundabout solution might be short-lived. Nevertheless, assumptions cannot be made regarding the timescales for any Phase 2 proposals and, in any event, such potentially short-lived works would be funded by the applicant and without any public finance implications. Within its consultation response OCC has also commented that they believe that a wider assessment of the full transport impacts of the entirety of development on Bicester 10 should be undertaken in order to be able to generate a cohesive and meaningful package of transport mitigation rather than piecemeal highway improvements. Whilst officers sympathise with this view, it is necessary to consider the application proposals on their individual merits and where development is proposed that broadly complements successful delivery of development across the whole of Bicester 10, there can be no reasonable objection to part of the development coming forward without the entirety. There is no suggestion from OCC that the proposed development would jeopardise or fetter suitable transport arrangements being available to serve and mitigate a wider business park operating across the whole of Bicester 10.
- 8.32 OCC is developing a long term strategy for managing traffic along the A41 corridor in light of expected significant increases in traffic growth as a result of new development. Part of this strategy involves the proposed southeast perimeter road

which, following public consultation, now has a preferred route. In recognition of the fact that the proposed development would materially increase traffic along the A41, OCC is seeking a financial contribution from the development towards its strategy. At the time of writing this report the sum sought from OCC has not been determined but officers nonetheless recommended that, once OCC has clarified its position, financial contributions are sought in line with OCC's recommendations through a planning obligation to ensure the adverse impact on the A41 is appropriately mitigated. The applicant is instead proposing what they refer to as a 'monitor and manage' approach which would see a requirement in a planning obligation for further TAs to be submitted at defined stages in the development to ensure that the assessments are up to date and relevant to the detailed reserved matters proposals. Officers however have concerns about this approach as it could lead to difficulties securing mitigation (direct or funding), could add uncertainty and delay to deliverability of Class B1 development and would require an unduly complicated and cumbersome planning obligation. OCC has also indicated that it is unwilling to accept this alternative approach.

- 8.33 In summary therefore, officers are satisfied that subject to appropriate conditions and planning obligations the proposed development would be suitably accessible by a range of modes of transport and would not give rise to severe traffic congestion or highway safety risks. Moreover, officers are also satisfied that the current proposals do not appear to fetter the ability to achieve suitable and safe access to Phase 2 in due course. As a result the proposals are considered to be in accordance with the requirements of Policies SLE4 and Bicester 10 of the CLPP1 as well as national planning policy set out in the NPPF.

Design, Appearance and Impact on the Character of the Area

- 8.34 Policy Bicester 10 requires development on the site to be of high quality, modern design and finish with careful consideration given to architecture and layout and with care given to building heights to reduce overall visual impact. Policy Bicester 10 also requires development on the site to provide structured open spaces and planting that provides a strong landscape setting. Policy ESD15 of the CLPP1 is also material and requires new development to respect its context and for it to take the opportunities available to improve the character and appearance of the area and the way it functions. These development plan policies are consistent with national planning policy in the NPPF which places great weight on the importance of good design in achieving sustainable development.
- 8.35 The application is made in outline with details of scale, appearance, layout and landscaping reserved for later approval. As a result, the plans and drawings that have been submitted are for illustrative purposes only and are not necessarily reflective of the final detailed proposal. Nevertheless, it is necessary to be satisfied at this stage that the type and amount of development proposed can be satisfactorily accommodated on the site and that consequently there is a detailed reserved matters scheme that could subsequently be found to be acceptable.
- 8.36 The illustrative site layout plan and supporting design and access statement indicate that the buildings proposed would be of quite significant scale if the upper limit of the amount of development sought was to be proposed in a detailed reserved matters scheme. Indeed it is suggested that the proposed hotel would need to be a five storey building (approximately 18.5m in height) in order to accommodate 149 bedrooms. Given the lack of existing vegetation along Vendee Drive as well as the loss of sections of hedgerow along Wendlebury Road in order to create a new vehicular access (with associated visibility splay), a 149 bedroom hotel would appear visually very prominent within immediate countryside views as well as from surrounding roads due to its scale and mass. It is the applicant's intention to create a modern high quality development and a sense of arrival to Bicester and the

supporting text to Policy Bicester 10 supports this approach. The specific requirements of Policy Bicester 10 however suggest that the scale of new buildings should be sympathetic so that the landscape setting is respected.

- 8.37 Details of the level and treatment of parking provision within the site would fall to be considered as part of the detailed layout of the scheme which is a reserved matter. However, it is necessary to be mindful at this stage of the likely parking requirements and OCC's parking standards suggest that 149 spaces would be required to serve a 149 bedroom hotel together with servicing/delivery area and cycle parking. The illustrative site layout plan has been prepared on this basis and does indicate a significant covering of the Phase 1A part of the site with built development leaving little space for meaningful planting or green spaces to respond to the site's existing landscape setting.
- 8.38 The proposed Class B1 (office etc) buildings are indicated to be of slightly lower height but with quite a continuous mass presented onto the A41. The illustrative plans also indicate that they would be close to the western site boundary and so very prominent from the A41. Given archaeological constraints (discussed later in the report) it is inevitable that the proposed buildings would need to be sited away from the south-eastern corner of the site and so closer to the A41. A conceptual massing visualisation submitted by the applicant confirms this and does indicate that the proposed development would give rise to a significant and perceptible change in character on the entry to Bicester from the southwest. Furthermore, the indicatively shown levels of parking provision to serve the proposed offices show that a large proportion of the site would be subject to built development with little space within the site for meaningful new soft landscaping and green spaces.
- 8.39 Wendlebury Road is currently a rural lane with a narrow carriageway and undefined soft hedge-lined verges. It feels far removed from the urbanisation of Bicester to the north. The lane's rural nature is particularly appreciated to the south of the junction with Vendee Drive with its character becoming more urban closer to the Bicester Avenue garden centre development. The proposals would result in buildings of significant scale and associated hardsurfacing on land currently comprising grassland. The proposals would also introduce formalised vehicular accesses which would necessitate removal of existing hedgerow as well as cutting back of further hedgerow to enable sufficient visibility splays to be provided. The impact of such development would give rise to a significant loss of the rural character of the lane. This impact would be compounded as a result of any development on Phase 2. The Council's landscape officers have also raised some concerns about the robustness of the Landscape and Visual Impact Assessment submitted as part of the application which they have concluded underestimates the likely visual impact of the proposed development from key viewing points including, in particular, from public footpath 161/2/10 which links Chesterton to SW Bicester where the change to the visual experience is likely to be close to major in significance.
- 8.40 However, whilst the proposals are not necessarily sympathetic to local landscape character and would be visually prominent in immediate views, the site has been allocated for development and landscape harm is an inevitable consequence of that. Indeed such harm would have been balanced against the benefits associated with new employment development as part of the decision to adopt Policy Bicester 10 in the CLPP1. The principle of it has therefore already been established. Furthermore, officers are receptive to the notion that a modern business park on this new gateway into Bicester should create a sense of arrival and therefore contain buildings of some scale, architectural merit and presence. That being said, officers do continue to have some concerns that the amount of development proposed on the site is pushing at the limits of what could be appropriately accommodated on the site having regard to the character and appearance of the area. On balance however,

officers have concluded that development of the scale proposed through a contemporary and high quality design could outweigh concerns regarding wider visual impact and therefore be able to be satisfactorily accommodated on the site in a manner that is visually appropriate and thus in accordance with the requirements of Policies Bicester 10 and ESD15 of the CLPP1.

- 8.41 A public footpath, Chesterton Footpath 8 (161/8), passes across the south-eastern corner of the Phase 1B element of the site. This public footpath enters the site from the disused slip road and then exits via a footbridge (over a ditch) onto Wendlebury Road. Clearly the proposals would result in a substantial visual change to the experience of users of this public footpath but such an impact has been established through the decision to allocate the site for development. Indeed it is highly likely that this public footpath would require diversion as result of the proposed development, either within the site or around it. However, this public footpath is not thought to be well used and in fact its passage through the site provides little benefit given that it does not connect to a wider footpath network and exits onto Wendlebury Road which is unsafe for pedestrians who then have to walk in the carriageway. In short, whilst detailed proposals have not been shown for the public footpath at this stage, officers are satisfied that any impacts on it would not be particularly detrimental to the wider public given its lack of regular use, absence of wider connectivity and its general poor quality. OCC (as the local highway authority responsible for recording and maintaining public rights of way) has also raised no objection to the proposals in this regard.

Ecology

- 8.42 Policy Bicester 10 and Policy ESD10 of the CLPP1 require the investigation, protection and management of priority and protected habitats/species on the site and for biodiversity to be preserved and enhanced. This reflects one of the core planning principles set out in the NPPF which is for the planning system to achieve net gains for nature. The Council also has a statutory duty through s40 of the Natural Environment and Rural Communities Act 2006 to have regard to the purposes of conserving biodiversity as part of exercising its functions.
- 8.43 The application has been accompanied by an ecological appraisal that assesses the proposed development's implications on biodiversity, protected/priority species and wildlife sites. The Council's ecologists are however concerned that protected and priority species have not been properly surveyed in accordance with well-established methodology and therefore that the impact on such species is not clear. Furthermore, the Council's ecologists are also concerned that the proposals would result in a significant net loss of habitat that would be detrimental to the objectives of protecting and enhancing biodiversity.
- 8.44 The applicant is to give further consideration in the period of time between the writing of this report and the Planning Committee meeting to the concerns raised by the Council's ecologists and whether there are measures that could overcome the above concerns. In order for officers to consider the proposals acceptable in ecological terms, the proposals would have to be able to genuinely demonstrate potential for net gains for biodiversity as well as the lack of material harm to any statutorily protected or priority species. It is currently unclear whether this can be achieved but officers are working on the assumption that it can and will be resolved in advance of the Planning Committee meeting. Where officers are not satisfied that this is the case, an alternative recommendation will be proposed at Planning Committee. Members will be updated accordingly at the meeting.

Impact on the Historic Environment

- 8.45 National planning policy contained within the NPPF places great weight on the importance of conserving the significance of a designated heritage asset. It further

adds that the more important the asset, the greater weight it should be given. The NPPF additionally states that the significance of a designated heritage asset can be harmed through development within its setting. The NPPF also adds that where a development proposal leads to harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal.

- 8.46 With respect to the application site and the proposals, there are two designated heritage assets that could conceivably have their settings affected by the proposed development. The first, the Chesterton Conservation Area, is over 600m away to the west. However, due to the significant separation distance and the extensive intervening tree belts, any impact on the setting of this designated heritage asset would be negligible.
- 8.47 The second is the Alchester Roman Town scheduled monument which covers a large area to the south of the application site. Given the potential implications for the scheduled monument, Historic England has been consulted on the application. However, due to the intervening A41 flyover as well as thick and well-established vegetation along the southern boundary of the application site, Historic England has concluded that the proposed new development would not be visible from the scheduled monument and so would again have a negligible impact on its setting. Any minimal harm that would take place to the setting of the Chesterton Conservation Area or the Alchester Roman Town scheduled monument would undoubtedly be more than outweighed by the significant benefits associated with the provision of new employment development which is a strategic objective of the Local Plan.
- 8.48 An archaeological field evaluation has been undertaken on behalf of the applicant and a report submitted as part of the planning application. The field evaluation recorded a number of archaeological deposits dating to the Roman period with activity concentrated in the 2nd to 4th centuries AD. These include probable floor surface and a possible oven or kiln with a number of ditches and pits. The deposits were located within a discrete area in the south-eastern corner of the site which is proposed for car parking. The applicant has submitted a method statement setting out how these features will be preserved in situ. This is considered to be an appropriate scheme for preservation. A programme of archaeological investigation and mitigation will still be required for the rest of the site but, following the removal of intrusive ground works from the area of dense Roman deposits, officers are satisfied that this can be secured through an appropriately worded condition.
- 8.49 Consequently officers have concluded that, subject to conditions requiring further archaeological investigation/mitigation, the proposed development would have negligible adverse impact on the historic environment. In any event, where any minor harm would occur to the setting of the Chesterton Conservation Area or Alchester Roman Town scheduled monument, officers are in no doubt that the significant economic public benefits associated with the proposals would clearly outweigh any harm. In this regard the proposals are therefore considered to be in accordance with the requirements of Policy Bicester 10 as well as national planning policy set out in the NPPF.
- 8.50 Policy Bicester 10 includes a further requirement for new development to set out opportunities to better reveal the significance of the Alchester Roman Town scheduled monument. The applicant has not proposed anything in this regard. However, as the current proposals are expected to have no material impact on the scheduled monument and appear to provide little opportunity to directly enhance interpretation of its significance, officers are minded not to pursue this requirement at this stage. Given the scale and potential impact of development proposed on

Phase 2 of Bicester 10, this is likely to provide a better opportunity to meet this requirement.

Flood Risk/Drainage

- 8.51 Policies ESD6 and ESD7 together resist new development where it would increase flood risk or be unduly vulnerable to flooding. They also seek to ensure that proposals incorporate sustainable drainage systems (SuDS) in order to prevent increased risk of flash flooding caused by surface water discharge from new developments. These policies essentially reflect that which is established in both the NPPF and PPG.
- 8.52 A Flood Risk Assessment (FRA) has been submitted as part of the planning application which demonstrates that the site is not within an area at high risk of flooding from any source. Officers concur with this assessment and see no reason why the site is unsuitable in this regard for the proposed development.
- 8.53 In accordance with Policy ESD7 of the CLPP1, the development is also proposed to incorporate SuDS through a combination of natural storage and infiltration together with associated swales and permeable paving to ensure that no increase in surface water discharge occurs from the development up to a major storm event. The incorporation of swales ensures a natural treatment train which together with permeable paving and petrol interceptors would ensure that there is no adverse effect on water quality that enters the ditch system along Wendlebury Road. Consequently, subject to conditions requiring the submission, approval and implementation of a detailed surface water drainage scheme, officers are satisfied that the proposals are acceptable with respect to flood risk and drainage implications and in accordance with relevant development plan policies. OCC, as the lead local flood authority, confirms that in principle it has no objection to the proposals with regard to flood risk and drainage implications and that a suitable drainage scheme is able to be proposed in due course.

Energy Efficiency/Sustainability

- 8.54 Policy ESD5 of the CLPP1 requires new commercial developments of over 1000sqm in floorspace to provide for significant on-site renewable energy provision unless robustly demonstrated to be undeliverable or unviable. Policy ESD4 also requires a feasibility assessment to be carried out for such developments to determine whether Combined Heat and Power (CHP) could be incorporated. The applicant has not submitted an Energy Statement to demonstrate either of the above. Officers therefore recommend that a condition be imposed on a grant of outline planning permission that requires an Energy Statement to be submitted either before or alongside the first application for reserved matters approval to ensure that the detailed proposals incorporate such energy provision. Furthermore, a condition would also need to require the on-site renewable energy and CHP (where feasible) as detailed in the Energy Statement to then be provided on site from the point of first occupation of the development. Officers consider this approach to be in accordance with the requirements of Policies ESD4 and ESD5 of the CLPP1.
- 8.55 Policy ESD3 relates to sustainable construction and requires all new non-residential development to meet at least BREEAM 'Very Good' standard. No details have been provided at this stage but it will be necessary to demonstrate how the development has been designed to achieve this standard as part of reserved matters applications. A condition is therefore recommended to be imposed that requires such details to be submitted and approved at the relevant stage.
- 8.56 Subject to the aforementioned conditions, officers have concluded that the proposed development will be able to be designed to achieve sustainability through

construction in accordance with the requirements of Policies ESD3, ESD4 and ESD5 of the CLPP1.

Planning Obligation(s)

8.57 Where a development would give rise to potential adverse on and off-site impacts, it is sometimes necessary for any mitigatory infrastructure or funding to be secured through a planning obligation (i.e. s106 agreement). Each requirement within a planning obligation must meet statutory tests set out in regulation 122 of the Community Infrastructure Ley (CIL) Regulations 2010 (as amended). These tests are that each obligation must be:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development;
- c) fairly and reasonably related in scale and kind to the development.

8.58 Where planning obligations do not meet the above statutory tests, they cannot be taken into account in reaching a decision. Officers have had regard to the statutory tests of planning obligations in considering the application and Members must also have regard to them to ensure that any decision reached is lawful.

8.59 Having regard to the above, officers' recommend that in the event that Members resolve to grant outline planning permission, that the following items need to be secured via a legal agreement with Oxfordshire County Council in order to mitigate the adverse impacts of the proposed development:

- That the developer commits to enter into a s278 highway agreement prior to commencement of development in relation to providing the vehicular accesses into both phases of the development;
- Provision of combined footway/cycleway prior to relevant occupations on Phases 1A and 1B;
- Provision of a signalised pedestrian crossing of the A41 to provide access to the northbound bus stop prior to occupation of any part of the development;
- Provision of a new bus stop layby within the verge of southbound carriageway of the A41 together with provision/funding of bus stop infrastructure;
- Provision or funding of 2 x real time information displays at the bus stops;
- Financial contribution towards the cost of monitoring travel plans;
- Provision of off-site highway improvements as detailed in the TA to enable improved pedestrian/cycle accessibility between the development and town centre;
- Delivery of agreed A41/Vendee Drive roundabout mitigation prior to first occupation of development on Phase 1B;
- Delivery of agreed Vendee Drive/Wendlebury Road junction mitigation (or similar scheme as agreed with OCC) prior to first occupation of development on Phase 1B;
- Financial contribution towards OCC's A41 corridor strategy;
- Financial contributions to cover OCC's costs associated with making TROs.

Local Finance Considerations

8.60 A local finance consideration includes, inter alia, a grant or other financial assistance that would or could be provided to a local authority. A local finance consideration can be material in the determination of planning applications. The proposed development has the potential to secure Business Rates of approximately £468,900 per annum under current arrangements for the Council. However, Government guidance set out in the PPG is clear that whether a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. Government guidance goes on to state that *'it would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body.'*

- 8.61 In the case of the proposed development, it is not clear how the funds secured through Business Rates would either directly or indirectly make the development acceptable in planning terms. Furthermore, it is not clear what proportion of the Business Rates would be able to be retained by the Council nor what the Council's intentions would be with such funds. As a result it should not be afforded material weight in the determination of this application. In any event, officers do not think it appropriate that any adverse impacts of a development should be balanced against direct financial gain for the Council and to do so would jeopardise public confidence in the planning system.

Other Matters

- 8.62 Chesterton Parish Council has queried whether the proposed development should be required to provide a new footway link from the village to the site. It has also queried whether financial contributions could be required to fund a new bus service between the village and the development on the basis that residents of the village could be employed at the site. However, officers do not consider these to be genuinely necessary or reasonable given the limited numbers of employees likely to be coming to the site from the village. Furthermore, in light of the withdrawal of subsidies for bus services, any financial contribution is unlikely to be able to secure a bus service beyond the short term as it would be unlikely to be commercially viable. The infrastructure requests made by the Parish Council would need to be secured through a planning obligation and, for the reasons set out above, they are not considered to meet the statutory tests set out in paragraph 8.57 and so should not be sought.

9. PLANNING BALANCE AND CONCLUSION

- 9.1 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined against the provisions of the development plan unless material considerations indicate otherwise. The NPPF supports the plan-led system and advises that planning applications which accord with an up-to-date development plan should be approved without delay.
- 9.2 The application proposes development that, with respect to the proposed Class B1 development, is considered to be, in principle, in accordance with the development plan. Whilst officers have some reservations about the scale of the proposed development, subject to the proposals being robustly demonstrated to protect and enhance biodiversity in accordance with local and national planning policy requirements, then officers are satisfied that the Class B1 development proposed on allocated Bicester 10 land is in accordance with the development plan.
- 9.3 With respect to the proposed hotel and the Class B1 development on unallocated greenfield land, these are not considered to be in specific accordance with the development plan. However, despite some reservations about the scale of the proposed development and subject to robust demonstration that the proposals would preserve and enhance biodiversity, officers have concluded that, on balance and for the reasons set out in this report, the benefits associated with the proposed hotel outweigh its adverse impacts. Such benefits include the proposed hotel's potential ability to facilitate Class B1 development on the remainder of Bicester 10 together with its ability to help meet an existing deficient in overnight accommodation which is considered to outweigh the harm that could potentially result from the loss of allocated land that could accommodate more employment intensive (and higher skilled) Class B1 development as well as the vitality of Bicester town centre. Furthermore, officers consider that the economic benefits associated with the additional Class B1 development on the unallocated greenfield land

outweigh the limited environmental harm caused by the loss of what would be an awkwardly sited and unremarkable part of countryside. For these reasons officers consider the proposed development to be, in part, in accordance with the development plan. Where the proposals depart from the development plan officers consider there to be other material considerations that, on balance, are considered to outweigh conflict with the development plan. Officers therefore recommend that outline planning permission is granted accordingly.

10. RECOMMENDATION

That Planning Committee resolves to grant outline planning permission and delegates the issuing of the decision notice to the Head of Development Management subject to the following:

- a) Satisfactory completion of a legal agreement to secure the items listed in paragraph 8.59 (with delegated authority to make any necessary minor amendments but only with the prior written agreement of the Chairman of the Planning Committee);
- b) Imposition of the conditions listed below (with delegated authority to make any necessary minor amendments but only with the prior written agreement of the Chairman of the Planning Committee);
- c) Satisfactory resolution of outstanding concerns regarding the ecological implications of the proposed development including that the applicant can robustly demonstrate that the proposals would achieve a net gain for biodiversity and that no material harm would occur to protected/priority species.

Conditions

1. No development shall commence on a phase identified within an approved phasing plan until full details of the layout, scale, appearance, access and landscaping (hereafter referred to as reserved matters) of the development proposed to take place within that phase have been submitted to and approved in writing by the Local Planning Authority.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

2. Prior to the submission of any application for reserved matters approval and notwithstanding any plans submitted as part of this application, a phasing plan covering the entire application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved phasing plan and each reserved matters application shall only be submitted in accordance with the terms of the approved phasing plan and refer to the phase it relates to as set out in the approved phasing plan.

Reason: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Government guidance contained within the National

Planning Policy Framework.

3. In the case of the reserved matters, no application for approval shall be made later than:

a) With respect to development identified as Phase 1A on drawing no. 16084 P102, the expiration of one year beginning with the date of this permission.

b) With respect to development identified as Phase 1B on drawing no. 16084 P102, the expiration of five years beginning with the date of this permission.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

4. Neither Phase 1A or Phase 1B of the development to which this permission relates shall be begun later than the expiration of two years from the final approval of the reserved matters relating to that phase or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

5. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and drawings:
16084 P101 Rev. P1

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 the National Planning Policy Framework.

6. All applications for reserved matters approval shall be accompanied by details of the existing ground levels together with proposed finished floor levels of all buildings within that phase. Development in that phase shall thereafter be undertaken in accordance with the ground/floor levels approved as part of a subsequent grant of reserved matters approval.

Reason - To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

7. Notwithstanding any provisions contained within the Town and Country Planning (General Permitted Development Order) 2015 (and any Order or Statutory Instrument revoking, amending or re-enacting that order), all water, waste, energy and communication related services on the site to serve the proposed development shall be provided underground and retained as such thereafter except with the prior express written approval of the local planning authority.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the

Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Except to allow for the means of access and necessary visibility splays, the existing hedgerows along the western (A41), southern and eastern (Wendlebury Road) boundaries of the site shall be retained and properly maintained at a height of not less than 3m from the date of this planning permission, and if any hedgerow plant/tree dies within five years from the completion of the development it shall be replaced and shall thereafter be properly maintained in accordance with this condition.

Reason - In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

9. All applications for reserved matters approval that submit details of 'access', shall be accompanied by full details of the access visibility splays relating to that phase of the development (including layout and construction). Thereafter, and prior to the first occupation of the development within that phase, the visibility splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 0.6m above carriageway level.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

10. Prior to the commencement of a phase of the development, a Construction Management Plan relating to that phase shall be submitted to and approved in writing by the local planning authority which details measures to protect biodiversity during construction and mitigate impact on the local highway network. The development shall thereafter only be carried out in accordance with the approved Construction Management Plan.

Reason – To ensure adverse impact on biodiversity and the transport network is minimised during construction works in accordance with the requirements of Policies SLE4 and ESD10 of the Cherwell Local Plan 2011-2031 Part 1.

11. Prior to first occupation of development on a phase, a Travel Plan relating to development in that phase shall be submitted to and approved in writing by the local planning authority. Thereafter, the development in that phase shall operate in accordance with the approved Travel Plan.

Reason – In the interests of encouraging sustainable travel and minimise harm to the local highway network in accordance with the requirements of Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1.

12. Prior to first occupation of any Class B1 development on land indicated in the application drawings as Phase 1B, a car park management plan shall be submitted to and approved in writing by the local planning authority. Thereafter, the entirety of the development on Phase 1B shall operate in accordance with the approved car park management plan.

Reason – To ensure that the proposals do not have an adverse implication on the operation of the nearby Park & Ride or create parking problems in the immediate locality.

13. Prior to the first occupation of development in a phase, a delivery and servicing plan relating to that phase shall be submitted to and approved in writing by the local planning

authority. Thereafter, deliveries and servicing shall thereafter take place for that phase in accordance with the approved delivery and servicing plan unless otherwise agreed in writing by the local planning authority.

Reason – To ensure that the proposals do not adversely affect the operation of the local highway network in accordance with the requirements of Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1.

14. Prior to the commencement of development in a phase, details of a scheme of surface water drainage to serve that phase shall be submitted to and approved in writing by the local planning authority. The development in that phase shall thereafter be implemented in accordance with the approved surface water drainage scheme and shall not be occupied until the approved surface water drainage scheme has been full laid out and completed.

Reason – In the interests of reducing risk of flooding in accordance with the requirements of Policy ESD7 of the Cherwell Local Plan 2011-2031 Part 1.

15. No development shall commence on any phase until impact studies on the existing water supply infrastructure relating to that phase, which shall determine the magnitude and timing of any new additional capacity required in the system and a suitable connection point, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

16. Development shall not commence on any phase until a drainage strategy detailing any on and/or off site drainage works for that phase has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

17. Prior to the commencement of development on a phase, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation for that phase which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the National Planning Policy Framework.

18. Following the approval of the Written Scheme of Investigation referred to in condition 17, and prior to the commencement of development in a phase (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out in that phase by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the National Planning Policy Framework.

19. The development hereby approved shall be carried out at all times in accordance with the methodology contained within the submitted "Archaeological Protection Measures Report – produced by Brian Hamill and dated 19th January 2017" unless otherwise with the prior written agreement of the local planning authority.

Reason - To safeguard heritage assets in situ and therefore preserve their significance in accordance with the National Planning Policy Framework.

20. The development on Phase 1A shall only be used only for purposes falling within Use Class C1 as specified in the Schedule to the Town and Country Planning (Use Classes) (England) Order 1987 (as amended) and for no other purpose(s) whatsoever notwithstanding any provisions otherwise contained within the Town and Country Planning (General Permitted Development) (England) Order 2015 (including any amendments or re-enactments of this Order). The development on Phase 1B shall only be used only for purposes falling within Use Class B1 as specified in the Schedule to the Town and Country Planning (Use Classes) (England) Order 1987 (as amended) and for no other purpose whatsoever notwithstanding any provisions otherwise contained within the Town and Country Planning (General Permitted Development) (England) Order 2015 (including any amendments or re-enactments of this Order).

Reason – To ensure that the local planning authority can give consideration to the environment, social and economic impacts of any change of use having regard to the development plan.

21. All applications for reserved matters approval relating to a phase shall be accompanied by details of the external lighting to be installed within that phase including details of luminance and light spillage. The development shall thereafter only be constructed in accordance with the lighting details approved as part of the grant of reserved matters approval and no other external lighting thereafter installed without the prior written consent of the local planning authority.

Reason – In the interests of assessing the impact on wildlife and the surrounding landscape in accordance with the requirements of Policies ESD10 and ESD13 of the Cherwell Local Plan 2011-2031 Part 1.

22. No removal of hedgerows, trees or shrubs shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

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

23. All applications for reserved matters approval shall be accompanied by a statement that appraisals the ecological implications of those reserved matters proposals including how they would mitigate harm to protected/priority species and contribute towards achieving an overall net gain for biodiversity as part of the overall development. Thereafter, measures set out in the statement shall be implemented in full on site in accordance with the details approved as part of the grant of reserved matters approval.

Reason – To ensure the ecological implications of the proposals are established and assessed throughout the application process in the interests of robust decision making.

24. If the development on Phase 1A or Phase1B does not commence within three years of the date of this decision, updated surveys for all statutorily protected species assessed as part of the planning application shall be re-undertaken prior to the commencement of the development in order to establish changes in the presence, abundance and impact on such species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority prior to the commencement of any development on that phase. Thereafter, the development shall be carried out in accordance with the approved details.

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

25. All buildings hereby approved shall be constructed to achieve at least a BREEAM 'Very Good' rating based on the relevant BREEAM standard for that building type applicable at the time of the decision. All applications for reserved matters approval relating to a phase shall be accompanied by details demonstrating how the buildings within that phase would be designed to achieve the BREEAM 'Very Good' rating.

Reason - To ensure sustainable construction and reduce carbon emissions in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1.

26. The first application for reserved matters approval relating to each of Phases 1A and 1B shall be accompanied by an Energy Statement relating to that phase that demonstrates the significant on-site renewable energy provision that will be incorporated into the development on that phase except where such on-site renewable energy provision is robustly demonstrated within the Energy Statement to be unfeasible or unviable. The on-site renewable energy provision approved as part of the reserved matters approval shall thereafter be fully incorporated within the development and no occupation of development within that phase shall take place until the approved on-site renewable energy provision is fully installed and operational.

Reason - To ensure sustainable construction and reduce carbon emissions in accordance with the requirements of Policy ESD5 of the Cherwell Local Plan 2011-2031 Part 1.

26. No development shall commence on a phase until full details of the 3m wide combined footway/cycleway (including lighting) along the A41 to serve that phase has been submitted to and approved in writing by the local planning authority. The approved combined footway/cycleway shall thereafter be provided to serve that phase prior to the first occupation of any development within that phase.

Reason – In the interests of ensuring that suitable access is provided to the development that prioritises sustainable travel in accordance with the requirements of Policies Bicester 10 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1.

27. No development shall take place until full details of the provision of a new bus stop layby along the southbound carriageway of the A41 (adjacent to Phase 1A) have been submitted to and approved in writing by the local planning authority. No development shall thereafter be occupied until the bus stop layby has been provided in accordance with the approved details.

Reason – In the interests of ensuring that suitable access is provided to the development that prioritises sustainable travel in accordance with the requirements of Policies Bicester 10 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1.

28. No development shall take place until full details of a signalised pedestrian crossing (between the new southbound and existing northbound bus stops of the A41 in the

immediate vicinity of the site) has been submitted to and approved in writing by the local planning authority. No occupation of any part of the development shall occur until the approved signalised pedestrian crossing has been provided in accordance with the approved details.

Reason – In the interests of ensuring that suitable access is provided to the development that prioritises sustainable travel in accordance with the requirements of Policies Bicester 10 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1.

29. No development shall take place on Phase 1B until full details of a new mini-roundabout system to replace the existing Vendee Drive/Wendlebury Road priority junction have been submitted to and approved in writing by the local planning authority. No occupation of development on Phase 1B shall take place until the approved mini-roundabout system has been completed.

Reason – To ensure that the traffic generated by the development does not lead to unacceptable harm to the highway network in accordance with the requirements of Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1.

30. Unless otherwise agreed in writing by the local planning authority, no development shall be occupied on Phase 1B until the works to the highway shown in drawing no. 35172/5502/008 (contained in the Transport Assessment) have been carried.

Reason – To ensure the significant adverse traffic impacts of the development are adequately mitigated in accordance with the requirements of Policy SLE4 of the Cherwell Local Plan 2011-2031.

31. Development shall not be occupied on Phase 1B unless and until Oxfordshire County Council as the Local Highway Authority has made a Traffic Regulation Order introducing a speed limit reduction to 30mph along the length of Wendlebury Road adjacent to the application site.

Reason – To ensure that safe visibility splays are available from the new accesses as well as a suitable means of controlling speed following the introduction of the new mini-roundabout system.