

Applicant:	Cherwell District Council		
Proposal:	Development of Eco-Business Centre (Use Class B1) within new local centre (ref. 15/00760/F) with associated access, servicing, landscaping and parking, with a total GEA of 1385sqm.		
Ward:	Bicester North And Caversfield		
Councillors:	Cllr Nicholas Mawer Cllr Lynn Pratt Cllr Jason Slaymaker		
Reason for Referral:	Major Application submitted by Cherwell District Council		
Expiry Date:	12 June 2017	Committee Date:	18 May 2017
Recommendation:	Approval; subject to the requirements at the end of this report		

1. APPLICATION SITE AND LOCALITY

- 1.1. The site for the Eco Business Centre sits to the North West of Bicester, to the west of the B4100 Banbury Road and within the Exemplar site, now known as Elmsbrook. The site is 0.137ha in area and sits adjacent to the area of the site set aside for a local centre and is to be accessed from Charlotte Avenue, the main street through the site. The land is currently vacant, with residential dwellings to the north and east.
- 1.2. In terms of site constraints, the site has some potential for ecology; however there are no other recorded constraints. The site levels slope slightly down from east to west.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks planning permission for an Eco Business Centre for uses within Class B1. The building would have a gross external area of 1385sqm and would be 24.2m in length (29.8m length when the stairway/ balconies are taken into account), 18.5m deep and would provide office accommodation arranged over three floors. The building would include a flat roof and be 11.5m in height to the ridge, albeit the shading fins would extend higher, taking the overall height to 12.5m. Due to the land level changes, the building would be slightly higher at the western end. The building would be fully enclosed by timber shading fins, which rise on the south western corner creating a feature.
- 2.2. The proposal also seeks permission for access, servicing, landscaping and parking.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal given it relates to the rest of the Local Centre area, adjacent to the Eco Business Centre site:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
10/01780/HYBRID	Development of Exemplar phase of NW Bicester Eco Town to secure full planning permission for 393 residential units and an energy centre (up to 400 square metres), means of access, car parking, landscape, amenity space and service infrastructure and outline permission for a nursery of up to 350 square metres (use class D2), a community centre of up to 350 square metres (sui generis), 3 retail units of up to 770 square metres (including but not exclusively a convenience store, a post office and a pharmacy (use class A1)), an Eco-Business Centre of up to 1,800 square metres (use class B1), office accommodation of up to 1,100 square metres (use class B1), an Eco-Pub of up to 190 square metres (use class A4), and a primary school site measuring up to 1.34 hectares with access and layout to be determined.	Approved
15/00760/F	Development of a new Local Centre comprising a Convenience Store (use class A1), Retail Units (flexible use class A1/A3/A5), Pub (use class A4), Community Hall (use class D1), Nursery (use class D1), Commercial Units (flexible use class A2/B1/D1) with associated Access, Servicing, Landscaping and Parking with a total GEA of 3,617 sqm	Approved

- 3.2 The S106 agreement for 10/01780/HYBRID includes a schedule which secured serviced land for an Eco Business Centre and provision for it to be transferred to the District Council for the purpose of an eco-business centre.

- 3.3 Application 15/00760/F established the detail for the rest of the local centre area, adjoining the Eco Business Centre site. This application indicatively showed the Eco Business Centre as part of the plans and how the building could be accommodated alongside that approved design.

4. PRE-APPLICATION DISCUSSIONS

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

Application Ref.

Proposal

16/00363/PREAPP Development of an Eco Business Centre to provide business incubation and innovation space to support SMEs

- 4.2. The advice provided support to the principle for an Eco Business Centre on the land identified. It raised some comments upon the design concept and the relationship of this to the context of the building including the rest of the approved local centre as well as the proposed materials to be used. The advice also considered the requirements of Policy Bicester 1 and the SPD in terms of the high standards sought in order to achieve a zero carbon development.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 20.04.2017, although comments received after this date and before finalising this report have also been taken into account.

- 5.2. The comments raised by third parties are summarised as follows:

- Hope the Business centre will be designed and planned with consideration for the residents, particularly those who back onto the site.
- Consideration of natural light into the garden is needed as the gardens are south facing.
- Hope there are no windows at the back of the building to ensure resident's privacy is not invaded. If windows are proposed they should be obscurely glazed.
- Request there are no security lights that will shine into the house or windows as this could be disruptive.
- Bins and bin collections should be away from the back of the house to avoid problems with rodents as well as potential noise disruption from bin collections.
- Generators should be kept away from the back of the Business Centre to keep noise to a minimum.
- Operating hours are queried.

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

6. RESPONSE TO CONSULTATION

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

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. **Bicester Town Council:** No objections but concerns are expressed that the level of parking provision is adequate.

CHERWELL DISTRICT COUNCIL CONSULTEES

- 6.3. Landscape Architect: Clarification is required in respect of NPS sizes for the shrubs and hedgerow material and pot sizes for the herbaceous material. Medium to large HTA nursery stock is required to ensure an initial enhanced landscape effect.
- 6.4. Business Support Unit: It is estimated that this development has the potential to secure Business Rates of approximately £31,353 per annum under current arrangements for the Council.
- 6.5. Ecology: The landscaping plans appear to be appropriate and the proposed native hedgerow planting is welcomed. Ideally, bat, bird and invertebrate boxes should be included on the plans to provide opportunities for these species but it is understood that these will be provided elsewhere within the Exemplar phase to provide biodiversity net gain as part of the wider development site and as such, the plans provided are acceptable.

OXFORDSHIRE COUNTY COUNCIL

- 6.6. Transport: No overall objections. The following key issues are raised:
- More detail is sought regarding the frontage of the building and its position fronting Charlotte Avenue as the layout is different to the indicative local centre layout (meaning that there would be less public space available between the bus stop, cycle parking and trees and the building frontage and as the parking layout would not allow for the same circulation route and changes the arrangement of spaces).
 - Disabled spaces should have a 1200mm buffer around their 3 applicable edges
 - Swept path analysis for an 11.6m refuse vehicle should be submitted.
 - Contributions to various highway mitigation measures have already been secured through application reference 10/01780/HYBRID.
 - Trip generation analysis was undertaken as part of planning application 10/01780/HYBRID, in which all the land uses of the Exemplar site were broken down.
 - The indicative plan for the local centre is approved; therefore more parking spaces would be difficult to insist upon. 21 spaces are provided (including two disabled spaces). This is slightly less than the approved local centre plan, however in light of the ethos behind the Exemplar site and the public transport links to the area, this is considered adequate.
 - Visibility splays within the site should match those in Manual for Streets for the design speed of the road and be included in areas of adoptable highway with no obstructions above 600mm.
 - Highway materials/ construction methods would be approved if submitted for adoption as a S38 agreement.
 - The proposed permeable paving and soakaway system together as described in the applicant's Drainage and SUDs Strategy report should be used at the site in order to meet the SuDS water quality objective. No private drainage is to discharge onto the existing highway, or any area of proposed adoptable highway.

OTHER EXTERNAL CONSULTEES

- 6.7. Thames Water: No objection with regard to sewerage or water infrastructure capacity.
- 6.8. Bioregional support CDC in the NW Bicester project as well as A2 Dominion in its role as a major housing provider on the site. Some detailed comments are provided in relation to the Daylight and Overheating reports and in relation to the need for

additional information to be sought in respect to how the residual carbon emissions would be offset.

7. RELEVANT PLANNING POLICY AND GUIDANCE

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

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

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

- PSD1: Presumption in Favour of Sustainable Development
- SLE1: Employment Development
- SLE2: Securing Dynamic Town Centres
- BSC12: Indoor sport, recreation and community facilities
- ESD1: Mitigating and adapting to climate change
- ESD2: Energy Hierarchy and Allowable solutions
- ESD3: Sustainable construction
- ESD4: Decentralised Energy Systems
- ESD5: Renewable Energy
- ESD6: Sustainable flood risk management
- ESD7: Sustainable drainage systems
- ESD8: Water resources
- ESD10: Biodiversity and the natural environment
- ESD15: The Character of the Built and Historic Environment
- Policy Bicester 1: North West Bicester Eco Town
- INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

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

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Eco Towns Supplement to PPS1
- NW Bicester Supplementary Planning Document

8. APPRAISAL

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

- Principle of the development and Planning History
- Employment
- Zero Carbon
- Climate Change Adaptation

- Local Services and Healthy Lifestyles
- Design
- Landscape and Historic Environment
- Green Infrastructure
- Transport and Highway safety
- Biodiversity
- Water
- Flood Risk and drainage
- Waste
- Master Planning and transition
- Community and Governance
- Pre-application community consultation & engagement
- Conditions and Planning Obligations
- Other matters

Planning History/ Context

- 8.2. The site sits within a large site allocated for development by Policy Bicester 1 of the Cherwell Local Plan 2011-2031 for a new mixed use zero carbon development including 6000 homes, employment development and associated infrastructure. The site also sits within the red line site area for an area of the site granted permission for the Exemplar phase of development at NW Bicester (10/01780/HYBRID). Development has commenced on that site (now known as Elmsbrook) and occupations have occurred on the Phase 1 area. That permission granted outline planning permission for an Eco Business Centre (of up to 1,800 square metres) within the area of the site subject to this planning application. The role of the Eco Business Centre was identified as being to provide high quality space to attract inward investment, to support the marketing of Bicester as a location for green technology and sustainable construction, to support innovative businesses and provide business incubation space and support home working on the development.
- 8.3. Based on this and to secure the provision of the Eco Business Centre, the S106 required the developer to service a site for the Eco Business Centre and then make an offer to transfer the serviced site to the District Council prior to the occupation of 100 dwellings. The legal agreement relating to the transfer is required to include a restrictive covenant that the Eco Business Centre site shall not be used other than for the purposes of an Eco Business Centre (or such other purpose that benefits the Development). This has therefore established the principle of an Eco Business Centre.
- 8.4. Following the approval of 10/01780/HYBRID, a full planning application for a local centre at Elmsbrook was submitted and was approved in July 2016 (15/00760/F). This application sought permission for a range of uses including retail, community uses, a public house and office space. The approved scheme for the local centre includes 614sqm of B1 office space, which is lower than was allowed for under the HYBRID permission, however was accepted on the basis of making sure that the local centre was a viable proposition.

Principle of the development and Employment

- 8.5. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the District comprises the adopted Cherwell Local Plan 2011-2031 and the saved policies of the Cherwell Local Plan 1996.

- 8.6. The Cherwell Local Plan seeks to support sustainable economic growth across the Cherwell District. This is in line with the Framework, which encourages sustainable economic development to deliver the homes, business and thriving local places that the Country needs (para 17). Strategic employment sites are identified and Policy SLE1 requires that employment development on those allocated sites will be of the employment type specified in each site policy. As referred to above, Policy Bicester 1 allows for employment development as part of the overall allocation for NW Bicester. This is allowed for in the form of a Business Park (elsewhere on the Masterplan site), within local centre hubs and as part of mixed use development. The policy requires that applications for eco town proposals should demonstrate how access to work will be achieved in order to deliver a minimum of one employment opportunity per new dwelling that is easily reached by walking, cycling or public transport. This requirement reflects the ambitions of the Eco Towns PPS and is also reflected within the NW Bicester SPD.
- 8.7. The policy seeks development across the site within the range of B use classes (stating B1, with limited B2 and B8 uses). Within mixed use local centre hubs, employment is also allowed for, in the form B1a (amongst other A, C and D uses).
- 8.8. The Masterplan for the site indicates three predominant local centre areas including at the Exemplar (additionally, a further mixed use area adjacent to the Middleton Stoney Road is proposed on the site known as Himley Village, which has a resolution for approval). The Eco Business Centre would sit within the Elmsbrook Local Centre and provide B1 floor space contributing to the mix of uses there. The SPD refers to the estimates within the North West Bicester Masterplan Economic Strategy which identifies that 1000 jobs could be provided within the local centres, comprising a range of uses including office space. The SPD identifies that low carbon target sectors should be pursued.
- 8.9. As explained, the principle of an Eco Business Centre has been established by the grant of permission for the Exemplar phase of the Eco Town (which included outline permission for this use). However, it also complies with the requirements of Policy Bicester 1, given it would contribute to the provision of a mix of uses within a local centre, it would provide B1a office space and it would contribute to providing employment opportunities within easy reach of the dwellings on the site and thus in a sustainable location.
- 8.10. With regard to job numbers, the Economic Strategy for the Exemplar anticipated 320 jobs being created across the Exemplar site. This included 90 jobs within B1 uses and 110 jobs within the Eco Business Centre (which was allowed for up to 1800sqm floor space). The Economic Strategy supporting the Local Centre application anticipated 323 jobs, with 37 within B1 uses and 116 within the Eco Business Centre (including a visitor centre - albeit the Eco Business Centre site sat outside that planning application). The current application includes an Economic Strategy. This demonstrates that 125 desk spaces would be provided (within the proposed floor space of 1385sqm floor space) therefore meeting the number of jobs identified within the site wide economic strategy. The proposal would therefore contribute to the on site employment opportunities and reduce journeys away from the development.
- 8.11. The Economic Strategy supporting the application for the Eco Business Centre explains that the centre will be operated to provide accommodation for entrepreneurs, small businesses and home workers, with areas focussed on innovation and low carbon. In order to progress the scheme, the Council procured some work to look at an issues and options appraisal for the site. This identified that serviced office space for small enterprises was performing well within the area with high levels of occupancy and was particularly attractive to fledgling companies. The

aim is therefore to provide flexible and versatile workspace for small and start up businesses to complement the existing space provided locally. The accommodation would include flexible hot desking areas and small office accommodation grouped around a central atrium which will encourage networking. It also provides for 3 meeting rooms, which could be let out and business support for companies is also to be provided. In order to operate the desk space in the co working space, it is intended to operate a membership arrangement, allowing start ups, home workers and sole traders the opportunity to access the centre in a cost effective way without long term commitment.

- 8.12. The S106 for the Exemplar sought an Employment, Skills and Training Plan in order to improve local skills, improve access to job opportunities and to secure the provision of apprenticeships for the construction period. The application notes that the appointed Contractor will provide a separate statement addressing the employment and training opportunities that will arise during construction. A condition is recommended in relation to this matter.
- 8.13. Given the above, it is concluded that the principle of an Eco Business Centre, which is a B1a use class is acceptable on the site proposed. It would also contribute to the provision of jobs across the site and support sustainable economic growth as well as contributing towards reducing unsustainable commuter trips. The building itself would provide flexible space for new and small businesses and entrepreneurs with an emphasis on innovation and low carbon sectors contributing to the wider economic strategies for the NW Bicester site as a whole. This is in compliance with Policy Bicester 1 of the Cherwell Local Plan and the NW Bicester SPD in the view of Officers.

Zero Carbon

- 8.14. The Eco Towns PPS at standard ET7 states;

The definition of zero carbon in eco-towns is that over a year the net carbon dioxide emissions from all energy use within the buildings on the eco-town development as a whole are zero or below. The initial planning application and all subsequent planning applications for the development of the eco-town should demonstrate how this will be achieved.

- 8.15. This standard is higher than other national definitions of zero carbon as it includes the carbon from the buildings (heating and lighting = regulated emissions) as with other definitions, but also the carbon from the use of appliances in the building (televisions, washing machines, computers etc = unregulated emissions). This higher standard is being included on the exemplar development which is being referred to as true zero carbon.
- 8.16. The NPPF identifies at para 7 that environmental sustainability includes prudent use of natural resources and the mitigation and adaptation to climate change including moving to a low carbon economy. Para 93 identifies that '*Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.*'
- 8.17. The Cherwell Local Plan policy Bicester 1 seeks development that complies with the Eco Town standard with the whole development being identified as a 'zero carbon mixed use development' and therefore infrastructure to achieve this supported. Policy ESD2 seeks carbon emission reductions through the use of an energy

hierarchy, Policy ESD3 seeks all new residential development to achieve zero carbon and for strategic sites to provide contributions to carbon emission reductions, Policy ESD4 encourages the use of decentralised energy systems and ESD5 encourages renewable energy development provided that there is no unacceptable adverse impact.

- 8.18. The NW Bicester SPD refers to the approach to energy and carbon dioxide reduction within the Masterplan Energy Strategy. This involves the use of large scale solar on all roofs, energy efficient buildings and a network of energy centres providing gas and biomass combined heat and power which will require a district heating network. The SPD emphasises that each application will need to be supported by an energy strategy and comply with the definition of true zero carbon. This should set out how the proposed development will achieve the zero carbon targets and set out the phasing. Additionally, applicants will be encouraged to maximise the fabric energy efficiency of buildings.
- 8.19. At Elmsbrook, a gas combined heat and power energy centre is on site, which connects to each home via a district heating network. This, alongside solar PV on the roofs and energy efficient buildings, works towards the achievement of the zero carbon target.
- 8.20. The current application is accompanied by an Energy Statement. This sets out that the design approach for the building is to reduce energy consumptions through efficient design of the building envelope and the incorporation of passive measures, the reduction of energy consumption through the specification of efficient building services and to use renewable energy systems. The design incorporates a number of measures to help minimise energy and water use; a fabric first approach is adopted to help reduce energy loss, with a highly insulated façade, the building will have an air tightness rating that will reduce the heat loss from the building during winter through air infiltration, mechanical ventilation will be used during the winter to provide a comfortable and draught free environment to the end user, natural ventilation during the summer via secure openable vents and good daylighting to be provided as well as monitoring enabled through the use of submeters. In particular, external shading is provided via the proposed brise soleil, which contributes to reducing solar gains and therefore maintaining comfortable internal temperatures. The building will also have exposed concrete floor constructions in order to maximise the thermal mass of the structure helping to limit peak temperatures in the summer.
- 8.21. The Energy Statement also considers the likely energy demand of the building and carbon emissions. As well as the passive design and efficient building services identified, it is then proposed to connect the site to the district heating network to provide space heating and hot water generation for the Business Centre. Roof mounted solar PV is also proposed, in order to reduce carbon emissions still further. It is predicted that 147 panels could be accommodated on the available roof slope and this would also contribute to carbon dioxide savings. There would however be a residual level of carbon dioxide emissions that could not be mitigated for on site, therefore not meeting the zero carbon standard on the building itself. Whilst this is unfortunate, it is difficult for one standalone building to meet the required zero carbon standard when seen alone. In order to mitigate for this and offset the residual carbon dioxide, it is proposed to provide an offsite solution, which it is understood would involve the provision of PV on other Council owned buildings within Bicester. In the circumstances, this is considered to be an appropriate and acceptable way forward and would meet the requirements of the policies outlined. It is however considered necessary for a condition to be used to secure details of the offset scheme including how this would be provided, where and how long after the construction of the building the offset scheme would be completed.

- 8.22. The application is also accompanied by a carbon management plan, as required by Policy Bicester 1. This provides some additional information upon embodied carbon within the materials to be used (in order to guide the choice of materials – e.g. concrete and timber), how waste will be managed on site, how methods of transportation will be managed (both in terms of personnel and deliveries) and how the site will be generally managed during the construction process to save energy. These are considered to be positive measures that will contribute in making the construction process more sustainable.

Climate Change Adaptation

- 8.23. The Eco Towns PPS at ET8 advises;

Eco-towns should be sustainable communities that are resilient to and appropriate for the climate change now accepted as inevitable. They should be planned to minimise future vulnerability in a changing climate, and with both mitigation and adaptation in mind.

- 8.24. The Cherwell Local Plan policy ESD1 seeks the incorporation of suitable adaptation measures in new development to make it more resilient to climate change. Policy Bicester 1 requires all new buildings to be designed incorporating best practice in tackling overheating. The NW Bicester SPD also provides details on how development should be designed to incorporate best practice on tackling overheating as well as taking into account orientation and passive design principles amongst a number of other criteria.

- 8.25. Work was undertaken by Oxford Brookes University and partners, with funding from the Technology Strategy Board (now innovate UK), in 2011/12 looking at future climate scenarios for Bicester to 2050. Climate Change impacts are generally recognised as;

- a) Higher summer temperatures
- b) Changing rainfall patterns
- c) Higher intensity storm events
- d) Impact on comfort levels and health risks

- 8.26. The Design for Future Climate project identified predicted impacts and highlighted the potential for water stress and overheating in buildings as being particular impacts in Bicester. Water issues are dealt with separately below. For the exemplar development consideration of overheating led to the recognition that design and orientation of dwellings needed to be carefully considered to avoid overheating and in the future the fitting of shutters could be necessary.

- 8.27. The application is accompanied by an overheating analysis. The report demonstrates that when tested, the building is not predicted to suffer from overheating. In mitigating the future high temperature risks, the current design incorporates inward opening secure vents to enable users to regulate temperatures during the day and to allow overnight purge ventilation, horizontal and vertical shading devices to reduce solar gains, exposed thermal mass to reduce the peak temperatures and internal blinds. The document also identifies some further future adaptations that could be utilised. It is clear that the design of the building has fully considered the issues of overheating and that the design of this directly responds to reducing the risk. Bioregional have however queried some points of the overheating assessment, including overheating implications in the future climate scenarios and particularly, how these meet the relevant BREEAM targets. These points have been raised with the applicant in order to seek a response. Design will be discussed in more detail later in this report.

- 8.28. A daylighting analysis has also been undertaken. This demonstrates that the daylight levels for most of the occupied spaces in the model are predicted to be above the targets, except for the middle offices and meeting rooms. The report does find that the atrium is predicted to be well day lit with the configuration of roof lights and there is good penetration to ground floor level, but the ground floor space is predicted to be below the standard. The report considers this as a circulation space rather than occupied, however the floor plans do indicate this as a hub space, equipped with tables and it may therefore attract some users to work in this area. Bioregional have queried some points of the daylighting assessment, including that some rooms will be relatively dark (the implication of which will be the more regular use of internal lights) and particularly, how these meet the relevant BREEAM targets. These points have been raised with the applicant in order to seek a response. Ultimately, there will need to be a balance between the design of the building in terms of maximising daylighting against the level of overheating that would be experienced and the other alternatives available (i.e. use of artificial lighting inside).
- 8.29. As part of the application, a BREEAM pre-assessment summary has been provided. BREEAM is a sustainability assessment rating, which assesses each scheme against performance benchmarks. This has concluded that the proposed Business Centre could meet rating Excellent (with the score predicted to be higher than the minimum Excellent rating). This is very positive, indicates the high sustainability credentials of the building and exceeds the Local Plan requirement for new non residential buildings to achieve BREEAM Very Good with the capability of achieving BREEAM Excellent. Whilst there are some outstanding queries as referred to above, it is clear from the preceding two sections that the building is proposed to be constructed and operated at a high environmental standard as required by Local Policy.

Local Services and Healthy Lifestyles

- 8.30. The Eco Town PPS and the NW Bicester SPD identify the importance of providing local services that contribute to the wellbeing, enjoyment and health of people. It also highlights the importance of the built and natural environment in improving health by enabling residents to make healthy choices.
- 8.31. The site for the proposed Eco Business Centre is situated within one of the local centres provided for the site. It would provide office accommodation and be amongst other local services within this area, it is therefore positioned such that it will be in an accessible location within walking distance of homes. Additionally, the building would be easily accessible via sustainable modes, including public transport, cycle and foot, with necessary infrastructure provided to encourage this (including cycle stands for example). This will also contribute towards helping residents make healthy lifestyle choices. Local services must also be provided as attractive places where people want to meet and spend time (this matter will be discussed under the design section of this report).

Design and impact upon the amenity of nearby residential dwellings

- 8.32. The NPPF makes it clear that good design is a key aspect of sustainable development. It states that Local Planning Authorities must aim to ensure that developments establish a strong sense of place, to function well and add to the overall quality of the area and to respond to local character and history. At the local level, saved policy C28 of the Adopted Cherwell Local Plan 1996 states that 'control will be exercised over all new development, including conversions and extensions to ensure that the standards of layout, design and external appearance, including choice of materials are sympathetic to the character of the urban or rural context of

that development'. Policy ESD15 of the Adopted Cherwell Local Plan 2011-2031 advises that design standards for new development whether housing or commercial development are equally important, and seeks to provide a framework for considering the quality of built development and to ensure that we achieve locally distinctive design which reflects and respects the urban or rural landscape and built context within which it sits. Policy Bicester 1 has a further 33 design and place shaping principles. These requirements include contributing to the areas character, respect traditional patterns and integrate, reflect or re-interpret local distinctiveness, promote permeability, take a holistic approach to design, consider sustainable design, integrate and enhance green infrastructure, include best practice in overheating, enable low carbon lifestyles, prioritise non car modes and support sustainable transport, providing a well-designed approach to the urban edge, respect the landscape setting, visual separation to outlying settlements, provision of public art.

- 8.33. As referred to, the rest of the Local Centre for Elmsbrook benefits from a planning permission. The design of this has therefore been assessed and considered acceptable. This took reference from the design principles set out within the design and access statement that accompanied the HYBRID application (including the continuous arcade arrangement with feature corner bookend buildings and set back slightly from the footways to give footways that are useable spaces). The distribution of materials has also been agreed and this included the use of a brick contrast detail on the bookends of the local centre. The plans indicated the Eco Business Centre and demonstrated how it could be accommodated in line with the design of the local centre.
- 8.34. The design of the proposed Eco Business Centre does not follow the design approach for the rest of the local centre, representing a bold, contemporary design albeit elements of the design principles have been re-interpreted in relation to this building as described in the design and access statement. The scale of the building is relatively large; given its form is a large square rather than the 'L' shape previously indicated (albeit this change creates a more sustainable and efficient form as well as improving the internal layout). The building would be striking in appearance given it is proposed to be enclosed by a timber brise soleil (which represents a functional feature as explained in terms of external shading contributing to reducing overheating) and taking into account the materials to be used. The brise soleil would extend from the first floor up and rise slightly higher than the ridge of the building. They would also rise on the south west corner of the building indicating the entrance, which sits to the western end. The brise soleil would also aid in shielding some elements of the building (such as the exposed concrete floors and the maintenance walkways), and would be attached to an outer frame to not breach the air tightness of the building.
- 8.35. The height of the building would be consistent and would be slightly lower than the indicated 'bookend' could be (on the plans approved by 15/00760/F for the local centre), and lower than the height of the approved bookends elsewhere on the approved local centre plans. However, it would still form a feature 'end' building within the extent of the local centre, which in the view of Officers would have a similar character. The building also includes an external balcony area to its western end and would be detached from the rest of the local centre (which would require an amendment to the approved design, which indicated a 'fly over' arrangement). The Council's Urban Designer expressed some concern that the result of this would break up the continuous arcade arrangement. Officers would agree that this would occur and this does move the concept of the local centre away from the original intentions, however on balance this is not considered to be unacceptable and additionally, whilst the balcony area would inevitably be more open than the rest of the building, it could continue to be enclosed by the brise soleil therefore reducing

the impact to an acceptable degree. The position of the balconies and the fact it would be enclosed by the brise soleil would be acceptable in terms of its impact upon residential amenity. The building also aims to reinterpret the covered walkway provided for the rest of the Local Centre by the brise soleil shading device and walkway.

- 8.36. The current proposal for the building in terms of materials is for the building to be clad in a sinusoidal aluminium vertical cladding, with a plinth (indicated in render). There are a number of louvres proposed to be constructed with a PPC finish and triple glazed passivhaus windows. Steel columns and the exposed concrete floors would also be provided. The brise soleil are indicated to be provided as a European Larch timber and would vary in depth and distance to the building as dictated by which orientation they face. The materials proposed would contribute to the striking appearance of the building and the extent of the aluminium vertical cladding would give the building a rather industrial feel. The use of the cladding has raised some concern with Officers in terms of its suitability in terms of enclosing the building as a whole and as such, a visualisation has been sought so that the impact of the materials can be assessed. It is hoped that this will be available in advance of committee. In any event, it is recommended that a planning condition be imposed to seek a final palette of materials and samples (Officers are aware of ongoing discussions as to the materials to be chosen), which could allow for further negotiations should this be considered necessary.
- 8.37. The relationship of the building to the rest of the local centre, taking into account the design approach proposed has raised some reservations with Officers, however, on balance taking into account the sustainable nature of the building, which has impacted upon design, alongside the creation of a contemporary, bold building, Officers consider that the building would be acceptable. A street scene has also been sought to demonstrate how the building would sit within its context with the approved local centre. Taking into account the above, and on balance, Officers conclude that the proposed design is acceptable, representing an exciting, contemporary addition to the Exemplar site, providing materials are agreed.
- 8.38. To the rear of the Eco Business Centre site are a row of dwellings situated and now occupied within the Phase 1 site area. The distance between the rear of the proposed building and the rear of the Eco Business Centre is 33m at its closest point, extending to 35m. The height of the building is 11.4m to the ridge, albeit the shading fins extend slightly higher taking the overall height to 12.5m. Taking into account the distance, it is unlikely that a significant adverse impact would be experienced by these neighbouring properties by way of loss of light or over dominance. The building is clearly larger in scale than a residential dwelling would often be, however this area is set aside for non-residential uses, including other local centre uses, which often have a greater scale. In any event, given the height and the distance, Officers consider the likely impact upon residential amenity to be acceptable. The building would include windows to the north elevation of the building, which would look northwards. It is noted that a neighbouring property has raised some concern that this could result in lack of privacy. Whilst at a distance of no less than 33m, the potential for loss of privacy is limited; in this case, the building is enclosed by the brise soleil therefore shielding the windows to a degree. In the view of Officers these would also be acceptable in terms of the impact upon residential amenity. Given the relationship of the development to the apartment block to the east, there is not considered to be a significant impact upon residential amenity there. Overall, Officers conclude that the amenity of existing and future development would be protected, in line with Policy ESD15 and the Framework.

Landscape and Historic Environment

- 8.39. The Eco Town PPS advises that planning applications should demonstrate that they have adequately considered the implications for the local landscape and historic environment to ensure that development compliments and enhances the existing landscape character. Measure should be included to conserve heritage assets and their settings. The NPPF recognises the intrinsic character and beauty of the countryside (para 17). The NPPF advises that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality. Adopted Cherwell Local Plan Policy Bicester 1 requires 'a well-designed approach to the urban edge which related development at the periphery to its rural setting' and development that respects the landscape setting and demonstrates enhancement of wildlife corridors. A soil management plan may be required and a staged programme of archaeological investigation. Policy ESD13 advises that development will be expected to respect and enhance the local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided.
- 8.40. The application does not include a landscape and visual assessment, however given the site sits within the extent of the Exemplar site and would be of a similar scale to other development on the site (including within the local centre area), it is unlikely that the local landscape character would be harmed by this proposal.
- 8.41. The layout of the site provides for car parking to the rear (in line with that accepted through the local centre application), and with the bin store provided to the rear. The application is also accompanied by a landscaping scheme, within the areas of the site that could accommodate landscaping. This includes areas to be provided as mixed shrubs, grasses and perennials and a mixed native hedgerow to the eastern side of the site. The Landscape Officer has not raised objection to the landscaping scheme, other than to seek some additional information around plant sizes and this information has been sought. The mixed native hedgerow also has benefits in terms of biodiversity which is positive. Given the above, it is considered that the landscape scheme is acceptable. A condition is recommended to seek the additional information around plant sizes, albeit if this is provided in advance, this condition could be removed.

Green Infrastructure

- 8.42. The PPS requires the provision of forty per cent of the eco-town's total area should be allocated to green space, of which at least half should be public and consist of a network of well-managed, high quality green/open spaces which are linked to the wider countryside. Adopted Cherwell Local Plan Policy BSC11 sets out the minimum standards that developments are expected to meet and it sets out standards for general green space, play space, formal sport and allotments. Furthermore, site specific, Policy Bicester 1 requires the provision of 40% of the total gross site area to comprise green space, of which at least half will be publicly accessible and consist of a network of well-managed, high quality green/ open spaces which are linked to the countryside. It specifies that this should include sports pitches, parks and recreation areas, play spaces, allotments, the required burial ground and SUDs.
- 8.43. The Exemplar as a whole provides over 40% green infrastructure in a range of forms including public open space, the stream corridor, allotment provision and hedgerow lanes. The proposal for the Eco Business Centre does not change the level of green infrastructure through the rest of the Exemplar. Whilst this is a standalone full application, it must be considered in the context of the wider site and thus the level of green infrastructure is not changed by this proposal. The proposal does however propose green landscaped areas around the building and as discussed, the scheme is considered to be acceptable. The proposal is therefore

considered to comply with the policy requirements around green infrastructure as far as it can, albeit it does not change the overall provision across the wider site.

Transport and Highway Safety

- 8.44. The Eco Towns PPS sets out that Eco Towns should 'support people's desire for mobility whilst achieving the goal of low carbon living'. The PPS identifies a range of standards around designing to support sustainable travel, travel planning and travel choice, modal shift targets; ensuring key connections do not become congested from the development and ultra-low emission vehicles. The PPS seeks homes within 10 mins walk of frequent public transport and local services. The PPS recognises the need for travel planning to achieve the ambitious target of showing how the town's design will enable at least 50 per cent of trips originating in the development to be made by non-car means, with the potential for this to increase over time to at least 60 per cent.
- 8.45. The NPPF advises that the transport system needs to be balanced in favour of sustainable transport giving people a real choice about how they travel (para 29). It is advised that encouragement should be given to solutions that support reductions in greenhouse gas emissions and reduce congestion (para 30). Transport assessments are required (para 32). The ability to balance uses and as part of large scale development have mixed use that limit the need to travel are identified (para 37 & 38). It also advises that account should be taken of improvements that can be undertaken within the transport network that cost effectively limit the significant impacts of the development and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (para 32).
- 8.46. Policy Bicester 1 relates to the NW Bicester site and requires proposals to include appropriate crossings of the railway line, changes and improvements to Howes Lane and Lords Lane, integration and connectivity between new and existing communities, maximise walkable neighbourhoods, provide a legible hierarchy of routes, have a layout that encourages modal shift, infrastructure to support sustainable modes, accessibility to public transport, provide contributions to improvements to the surrounding road networks, provision of a transport assessment and measures to prevent vehicular traffic adversely affecting surrounding communities. The NW Bicester SPD reiterates the requirements of Policy Bicester 1 in terms of how the site is expected to meet the standards set.
- 8.47. The site for the Eco Business Centre is within the Exemplar site and the trip generation analysis was undertaken as part of 10/01780/HYBRID, which broke down all the land uses proposed. The current application is accompanied by a Transport Statement, which has compared the traffic generation from this proposal to that predicted under the HYBRID application. The existing consent included for a higher level of traffic generation than now forecast. The traffic impact has already been assessed and accommodated in the constructed road network and junctions and mitigation. The proposal would therefore be acceptable in highway terms.
- 8.48. The application proposes 21 car parking spaces, two of which would be disabled spaces. This number is slightly less than the number of spaces indicated that could be provided for the Eco Business Centre under the approved local centre application (23). Two spaces would also be provided with electric charging points. Whilst the number of car parking spaces is low, Officers would agree with the assessment of OCC that given the ethos of the Exemplar site and the public transport lines to the area, the number of spaces can be considered adequate.

- 8.49. Given the level of car parking is relatively limited, it is important that infrastructure to support sustainable travel is provided. In these terms, cycle parking is proposed with a total of 22 spaces provided, some of which being wall mounted and others as Sheffield Hoop stands in prominent locations. In addition, the approved plans for the local centre demonstrated cycle parking throughout the local centre area, including within the street (some of which in front of the Eco Business Centre site). In this respect, it is anticipated that public cycle stands are likely to be shared across the Local Centre development.
- 8.50. The OCC Transport team have raised a query over the position of the Eco Business Centre in comparison to the position indicated upon the approved Local centre plans. The query relates to the level of public space at the front of the site and building compared to that shown on the approved plans. Having compared the plans, it is clear that the building will sit further forward than that shown indicatively on the approved local centre layout (being generally in line with the book end feature at the west end of the local centre). However, having assessed the submitted plans, it would appear that there is still a distance of no less than 4m between the front of the building and the road edge. Within this area, a bus stop, cycle parking and two trees are to be provided (in line with the approved plan for the local centre) and it would appear that there is sufficient space to provide this as well as retaining the area as a useable space.
- 8.51. The OCC Transport team have also queried the parking layout and the circulation route through the car park. Tracking for a refuse vehicle is also sought. The plan does show a rearranged parking layout in comparison to that shown on the approved plan for the local centre and OCC have not objected to this in principle. Officers have sought additional information in terms of a tracking plan (given the position of the refuse store at the northern end of the site). The car park is proposed to be finished in tarmac and a condition is recommended to secure the final colour detail of this to be agreed.
- 8.52. The application is not currently accompanied by a Travel Plan and therefore this will be sought via a planning condition. The application is supported by a Construction Traffic Management Plan. This appears to cover the relevant matters and no condition is suggested in relation to this matter by the Highway Authority.
- 8.53. Overall, it is not considered that this proposal would not raise significant highway safety concerns and provides a level of parking that can be considered to be acceptable as well as promoting sustainable transport measures by way of the provision of infrastructure to support this. The proposal is therefore considered to comply with the above mentioned policies.

Biodiversity

- 8.54. The Eco Town PPS requires that net gain in local biodiversity and a strategy for conserving and enhancing local bio diversity is to accompany applications. The NPPF advises that the planning system should minimise impacts on bio diversity and provide net gains where possible, contribute to the Government's commitment to prevent the overall decline in bio diversity (para 109) and that opportunities to incorporate bio diversity in and around developments should be encouraged (para 118). The Cherwell Local Plan Policy Bicester 1 identifies the need for sports pitches, parks and recreation areas, play spaces, allotments, burial ground and SUDs and for the formation of wildlife corridors to achieve net bio diversity gain. Policy ESD10 seeks a net gain in bio diversity. The NW Bicester SPD also emphasises the need for a net biodiversity gain to be demonstrated and for proposals to demonstrate inclusion of biodiversity gains within the built environment.

- 8.55. The application is accompanied by an Ecology Baseline and Biodiversity Strategy report. The ecology baseline finds that as the site was cleared to commence construction of the energy centre and residential units (and this area of the site was used as the site compound), that the site had no ecological value. All features existing (i.e. hedgerows and the river corridor), had been protected by fencing and buffers as required. It is therefore concluded that no impacts would result from construction activities.
- 8.56. With regard to biodiversity enhancements, the strategy identifies the details that were agreed for the rest of the Exemplar site, including the commitment to provide bat, bird, owl and invertebrate boxes which are accommodated on the site. No boxes were agreed for the Eco Business Centre, and it is now concluded that the building is of a design and in a location not suitable to locate boxes. The application does however provide planting and landscaping plans and these conform with the aims of the biodiversity strategy for the Exemplar wherever possible. Whilst the scope to provide for wildlife in this area of the site is relatively limited, the proposed planting has been designed to provide a diverse foraging habitat for invertebrates and birds and nesting possibilities for breeding birds (particularly within the mixed native hedgerow along the Eastern boundary).
- 8.57. The Ecology Officer has welcomed the proposed landscaping, including the native hedgerow planting. Furthermore, on the basis that biodiversity boxes will be provided elsewhere across the Exemplar site, it is accepted that the Eco Business Centre itself will not provide these. Given the above, Officers consider that it is acceptable for the proposed landscaping to form the main biodiversity enhancements. These are appropriate and when viewed alongside other enhancements occurring on the Exemplar site, it can be concluded that overall, a net biodiversity gain would result in compliance with policy.

Water

- 8.58. The Eco Towns PPS states 'Eco Towns should be ambitious in terms of water efficiency across the whole development particularly in areas of water stress. Bicester is located in an area of water stress. The PPS requires a water cycle strategy and in areas of serious water stress should aspire to water neutrality and the water cycle strategy should;
- the development would be designed and delivered to limit the impact of the new development on water use, and any plans for additional measures, e.g. within the existing building stock of the wider designated area, that would contribute towards water neutrality
 - new homes will be equipped to meet the water consumption requirement of Level 5 of the Code for Sustainable Homes; and
 - new non-domestic buildings will be equipped to meet similar high standards of water efficiency with respect to their domestic water use.
- 8.59. The NPPF advises at para 99 that when new development is brought forward in areas that are vulnerable care should be taken to ensure risks can be managed through suitable adaption measures, including through the planning of green infrastructure. The ACLP Policy ESD8 advises 'Development will only be permitted where adequate water resources exist or can be provided without detriment to existing uses.' Policy Bicester 1 requires a water cycle study and Policy ESD 3 requires new development to meet the water efficiency standard of 110 litres/person/day.
- 8.60. The Planning Statement advises that with regard to water, rainwater harvesting is proposed which will collect water runoff from the roof of the business centre to be

used to flush WCs. Water efficiency measures are also proposed, which will contribute to the water neutrality aspirations including integral flow regulators for taps, showers and WCs to reduce consumption and leak detection systems all with the aim of reducing the demand on potable water supply in line with the water cycle strategy that accompanied application 10/01780/HYBRID. Given the details provided, it is considered necessary to condition that the higher water efficiency standards are met, which in turn will require the measures identified to be used. This is considered to be acceptable in respect to this application site.

Flood risk and drainage

- 8.61. The Eco towns PPS advises that the construction of eco towns should reduce and avoid flood risk wherever practical and that there should be no development in Flood Zone 3. The NPPF advises that inappropriate development in areas of flood risk should be avoided (para 100) and that development should not increase flood risk elsewhere (para 103). The Cherwell Local Plan policy ESD6 identifies that a site specific flood risk assessment is required and that this needs to demonstrate that there will be no increase in surface water discharge during storm events up to 1 in 100 years with an allowance for climate change and that developments will not flood from surface water in a design storm event or surface water flooding beyond the 1 in 30 year storm event. Policy ESD 7 requires the use of SUDs. The NW Bicester SPD emphasises that the overall aim is to minimise the impact of new development on flood risk by providing a site wide sustainable urban drainage system. Each planning application should demonstrate that the proposed development will not increase flood risk on and off the site.
- 8.62. The application is accompanied by a drainage and SUDs strategy report. This identifies that an infiltration drainage system is the preferred method of surface water drainage for new development. The proposal involves the provision of a soakaway, sized to accommodate the 1 in 100 year plus 20% storm event (20% identified because the proposed development is a less vulnerable use and is located within an area not known for surface water flood issues) to be located in the car parking area to the north of the proposed office building. The document also includes a maintenance strategy. Foul water is proposed to drain to the public foul sewer.
- 8.63. The OCC Drainage Team have advised that the proposed permeable paving and soakaway system together as described in the applicant's Drainage and SUDs Strategy report should be used at the site in order to meet the SUDs water quality objective. It is emphasised that no private drainage is to discharge onto the existing highway or onto any area of proposed adoptable highway. A planning condition is recommended to see a surface water drainage scheme; however after querying this, it has been confirmed that the condition is not necessary. Given the above, it is considered that the proposal will provide for an acceptable way of dealing with surface water drainage based upon the requirements of the site in order to ensure that flood risk on and off site will not increase in line with the requirements of the above mentioned planning policy.

Waste

- 8.64. The Eco Towns PPS advises that applications should include a sustainable waste and resources plan which should set targets for residual waste, recycling and diversion from landfill, how the design achieves the targets, consider locally generated waste as a fuel source and ensure during construction ensure no waste is sent to landfill. The National Waste Policy identifies a waste hierarchy which goes from the prevention of waste at the top of the hierarchy to disposal at the bottom.

The National Planning Practice Guidance identifies the following responsibilities for Authorities which are not the waste authority;

- promoting sound management of waste from any proposed development, such as encouraging on-site management of waste where this is appropriate, or including a planning condition to encourage or require the developer to set out how waste arising from the development is to be dealt with
- including a planning condition promoting sustainable design of any proposed development through the use of recycled products, recovery of on-site material and the provision of facilities for the storage and regular collection of waste
- ensuring that their collections of household and similar waste are organised so as to help towards achieving the higher levels of the waste hierarchy

8.65. The Planning Statement accompanying the application identifies that a site waste management plan will be developed to include a sustainable waste and resources plan covering commercial waste and setting targets for residual waste, recycling and landfill diversion as well as how construction waste will be dealt with (with the target to achieve zero waste to landfill from construction, demolition and excavation). The proposal also includes details of a dedicated bin store which would be positioned to the north of the site adjacent to the site boundary. This is therefore tucked away but remains in an accessible location. The application does not set specific targets but does commit to the production of a site waste management plan. This can be sought via planning condition in the view of Officers.

Masterplanning and Transition

8.66. The PPS requires the submission of a masterplan to ensure comprehensive development. The masterplan has been submitted and is incorporated into the adopted NW Bicester SPD. The Eco Business Centre site aligns with the Masterplan requirements and it is in line with both the outline approval established through 10/01780/HYBRID and the separate permission for the Local Centre (15/00760/F). The proposal is acceptable in this regard. In relation to transition, this relates to the timing of the delivery of services and facilities, the support and information to be provided to residents and how carbon emissions through the construction process will be reduced. It is understood that the Eco Business Centre is proposed to be delivered by the Council over the course of the next year, this will therefore be one of the first non residential buildings to be constructed (after the school). In terms of carbon emissions, as discussed earlier, the appointed contractor has produced a carbon management plan to discuss how material choices would be made taking into account embodied carbon and how the site would be managed. These are positive in meeting the high standards sought.

Community and Governance

8.67. The Eco Towns PPS advises that planning applications should be accompanied by long term governance structures to ensure that standards are met, maintained and evolved to meet future needs, there is continued community involvement and engagement, sustainability metrics are agreed and monitored, future development meets eco town standards and community assets are maintained. Governance proposals should complement existing democratic arrangements and they should reflect the composition and needs of the local community. ACLP Policy Bicester 1 requires the submission of proposals to support the setting up of a financially viable local management organisation.

- 8.68. Given the scope of the current application as an employment focussed development, this does not directly meet the requirements of this Development Principle. However, this matter is dealt with on the wider exemplar site, through the delivery of community engagement as well as discussions around local management structures. These arrangements would continue and would not be effected by the approval of this planning application.

Conditions and Planning Obligations

- 8.69. The wider Exemplar site is subject to a S106 agreement relating to securing various mitigation and infrastructure necessary to make the development acceptable. The full application for the local centre (15/00760/F) was linked to that S106 on the basis that the agreement included obligations around the provision and marketing of the non-residential uses and the community centre, including its transfer to the District Council. The requirements relating to the Eco Business Centre, were around the setting aside of the land and its transfer to the District Council. Given that upon the implementation of this permission this obligation would be complied with and the Eco Business Centre would not be bound by any other obligations, it is not considered necessary to link this to the S106 for the site.
- 8.70. A number of required conditions have been identified throughout this report (some of which may be overcome by the provision of additional information in advance of committee). The conditions imposed in relation to both previous permissions mentioned through this report have also been reviewed and any necessary are also recommended.

Other matters

- 8.71. With regard to the compatibility of the use within this location, the proposal represents a B1a office use, which is considered suitable within a residential area. This use should not create levels of noise or disturbance that would be out of character in a residential area. A condition is recommended in relation to unsuspected land contamination. The application includes details of lighting, both for the building and the external spaces. The third party comments have raised some concern with lighting proposed and within the car park, 4 6m lighting columns are proposed. The plans indicate that these could be automatically switched off between 2300hrs and 0700hrs, which should reduce the opportunity for disturbance, however a condition is recommended that would require the 6m lighting columns to be switched off between 22:00hrs and 0700hrs as this would be more appropriate in terms of hours in the view of Officers.

Local Finance Considerations

- 8.72. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. This can include payments under Business Rates. The scheme has the potential to secure Business Rates of approximately £31,353 per annum under current arrangements for the Council. However, officers recommend that this is given no weight in decision making in this case given that the payments would have no direct relationship to making this scheme acceptable in planning terms and Government guidance in the PPG states that it is not appropriate to make a decision based on the potential for the development to raise money for a local authority or other Government body.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined against the provisions of the Development Plan unless material considerations indicate otherwise. The overall purpose of the Planning system is to seek to achieve sustainable development as set out within the Framework. The three dimensions of sustainable development must be considered, in order to balance the benefits against the harm in order to come to a decision on the acceptability of a scheme.
- 9.2. The principle of an Eco Business Centre on the land identified is considered to be acceptable. It would contribute to the provision of jobs on the site and provide a form of employment within an accessible location that complies with Policy Bicester 1. Additionally, outline permission has also been granted for this use on this site. The building is proposed to provide flexible office space that will be available for small businesses and entrepreneurs and have a focus on innovation and low carbon. This would contribute to the economic role of sustainability.
- 9.3. The building would be designed and built to very high environmental standards, including reaching BREEAM Excellent rating and designed to contribute towards being zero carbon (albeit with an offset provided offsite). The proposed building would therefore contribute to reaching the high standards required at NW Bicester as a new zero carbon community. The building also demonstrates how it has been designed taking into account future climate change (some queries remain outstanding). This directly contributes to the environmental role of sustainability.
- 9.4. The location of the building within the local centre identified would be in an accessible local centre and served by infrastructure meaning the need to travel by private car would be reduced. The design of the building would be a bold, contemporary approach and whilst this would be different to the rest of the local centre it would be positioned within, the overall design, led by its sustainability, alongside a materials palette (to be finalised), would contribute to the achievement of a high quality built environment. These issues would contribute to the social role of sustainability.
- 9.5. Other technical matters are also considered through this report and are either generally acceptable or can be made so via the imposition of planning conditions and matters being dealt with prior to a decision being made. This includes the level of parking, which despite being low, is considered to be acceptable taking into account the accessibility of the building.
- 9.6. Overall, the proposal is considered to represent sustainable development, in compliance with the above mentioned policies and is therefore recommended for approval.

10. RECOMMENDATION

Approval; subject to:

- a) The provision of tracking information to overcome the comments of the Highway Authority,
- b) The following conditions, with delegation to the Development Services Manager to make any minor changes in response to the matters highlighted above:

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

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

Purchase Act 2004.

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

- Application forms
- Planning Statement dated March 2017
- Design and Access Statement dated March 2017
- Economic Strategy dated March 2017
- Energy Statement dated 6th March 2017
- Drainage and SUDs Strategy Report dated 10/03/2017
- Transport Statement dated February 2017
- Eco Business Centre Ecology Baseline and Biodiversity Strategy Report dated March 2017
- Luminaires Schedule
- Site Plan External lighting layout – drawing number BC XX E 8010 Rev P5
- Below Ground Drainage Ground Floor Plan – drawing number 25408-600 version 3
- Site Location Plan – drawing number 08930 AT-XX-XX-DR-A PL010
- Site Block Plan – drawing number 08930 AT-XX-XX-DR-A PL011
- Proposed site plan – drawing number 08930 AT-XX-XX-DR-A PL050
- Ground Floor Plan – drawing number 08930 AT-XX-XX-DR-A PL100
- First Floor Plan – drawing number 08930 AT-XX-XX-DR-A PL101
- Second Floor Plan – drawing number 08930 AT-XX-XX-DR-A PL102
- Roof Plan – drawing number 08930 AT-XX-XX-DR-A PL103
- Refuse Store – drawing number 08930 AT-XX-XX-DR-A PL110
- North Elevations – drawing number 08930 AT-XX-XX-DR-A PL610 Rev B
- South Elevations – drawing number 08930 AT-XX-XX-DR-A PL620 Rev B
- East Elevations – drawing number 08930 AT-XX-XX-DR-A PL630 Rev B
- West Elevations – drawing number 08930 AT-XX-XX-DR-A PL640 Rev C
- Sections – drawing number 08930 AT-XX-XX-DR-A PL800 Rev B
- Construction Traffic Management Plan
- Site Establishment Plan (ECO/01 Rev 0) and Site Access Route (ECO/02 rev 0)
- Carbon Management Plan
- Landscape Plan – drawing number 456/100 Rev B
- Planting Plan – drawing number 456/500 Rev B

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

3. Prior to the commencement of the development hereby approved, a finalised schedule of materials and finishes for the external walls and roof(s) of the development hereby approved including samples 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 schedule.

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.

4. Prior to the commencement of the development hereby approved, a plan showing full details of the finished floor levels in relation to existing ground levels on the site for the proposed Eco Business Centre 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 finished floor levels plan.

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.

5. Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. Prior to the occupation of the development, full details of the offsite measures that will be utilised to enable the scheme to achieve zero carbon, including the timescale, how the shortfall is to be met and where the shortfall shall be met shall be submitted to and approved in writing by the Local Planning Authority. The measures agreed shall be implemented in accordance with the approved details.

Reason – To deliver zero carbon development in accordance with Planning Policy Statement 1: Eco Towns.

7. Prior to the commencement of the development, a report outlining how carbon emissions from the construction process and embodied carbon (based upon the finalised materials schedule) have been minimised shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved plan.

Reason – To ensure that the development achieves a reduced carbon footprint in accordance with Planning Policy Statement 1: Eco Towns.

8. Prior to the occupation of the development, the Eco Business Centre shall be provided with solar PV to meet the required provision of solar PV as established through the Energy Strategy.

Reason – To deliver zero carbon development in accordance with Planning Policy Statement 1: Eco Towns.

9. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

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 the development hereby approved, full specification details (including construction, layout, surfacing material and colour finish and drainage) of the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

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

12. Prior to the first occupation of any unit hereby approved, a Travel Plan prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority for the Eco Business Centre. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

13. Prior to the commencement of the development, a Training and Employment Management Plan, including details of the number of construction apprenticeships to be provided shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason - In the interests of ensuring appropriate and adequate apprenticeships are made available in accordance with Government guidance.

14. Prior to the commencement of the development hereby approved, further details in relation to the landscaping scheme, in particular the size of the proposed shrubs and hedgerow material and pot sizes of the proposed herbaceous material shall be submitted to and approved in writing by the Local Planning Authority.

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

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

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

16. Prior to the commencement of construction, a Site Waste Management Plan, which shall demonstrate how zero construction waste will be sent to landfill, and which sets targets for residual waste, recycling and diversion from landfill shall be submitted to and approved in writing by the Local Planning Authority.

Reason – To ensure no waste is sent to landfill to meet the requirements of the Planning Policy Statement 1: Eco Towns.

17. The premises shall be used only for purposes falling within Class B1a specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose(s) whatsoever.

Reason - In order to maintain the character of the area and safeguard the amenities of the occupants of the adjoining premises in accordance with Policies C28 and C31 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

18. The 6m column car park luminaires shall be turned off between the hours of 22:00hrs and 07:00hrs unless otherwise agreed in writing by the Local Planning Authority.

Reason - In order to safeguard the amenities of the area and the residential amenity of neighbouring properties and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

19. The Eco Business Centre shall be constructed to BREEAM EXCELLENT.

Reason – To support the creation of a low carbon community to achieve the requirements of Policies ESD1 and Policy Bicester 1 of the Adopted Cherwell Local Plan.

20. Prior to the occupation of the Eco Business Centre, the building shall be provided with a 'real time information' system and Superfast Broadband.

Reason – To facilitate information delivery and travel information in accordance with Planning Policy Statement 1: Eco Towns.

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

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