

Case Officer: Carlos Chikwamba

Applicant: Albion Land (Three) Limited

Proposal: Employment development (Use Classes E(g)i and/or E(g)ii and/or E(g)iii), and associated infrastructure, access (including diverted public right of way), parking, and landscaping

Ward: Fringford And Heyfords

Councillors: Cllr Conway-Murray, Cllr Simpson, Cllr Wood

Reason for Referral: Major development

Expiry Date: 23 January 2025

Committee Date: 16 January 2025

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is situated to the south of Bicester and forms a contained parcel of land 3.18ha in area positioned to the east of the A41, west of Wendlebury Road, north of an unnamed road leading to Chesterton and south of Charles Shouler Way which links Wendlebury Road to the A41/ Vendee Drive roundabout.
- 1.2. The site is an open grassland field and contains the unused slip way to the A41. The land is surrounded by mature hedgerows, except for the northern boundary and has greater levels of vegetation to the south of the site. The land is relatively flat with some variation across the site with levels increasing on the parcel to the south of the unused slip way to adjoin the unnamed road to Chesterton which itself rises to cross the A41 on a bridge.
- 1.3. To the north of the site is the Holiday Inn Express and to the north east is the Bicester Avenue Garden Centre and David Lloyd Leisure Centre. To the east of the site is a roundabout leading to an industrial park. To the south is open countryside (also including Bicester Trailer Park) and the site of the Alchester Roman Town Scheduled Ancient Monument is to the south east. To the west, beyond the A41 is the Bicester Park and Ride site and to the northwest is the residential led development at Kingsmere.
- 1.4. The northern part of the site falls within the "Bicester 10: Bicester Gateway" allocation and a small parcel of land to the south sits outside the land allocated.

Constraints

- 1.5. The application site includes a public right of way which runs across the site in the south eastern corner between the unused slip way and the Wendlebury Road. The land might be contaminated and there is also some archaeological potential, particularly in the southern part of the site. The constraints show ecological records in the locality.
- 1.6. There are also drainage ditches close to the site and there is a Scheduled Ancient Monument (Alchester Roman Town) to the south east of the site which gives the site an archaeological constraint.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The applicant seeks full planning permission for employment development (Use Classes E(g)i and/or E(g)ii and/or E(g)iii), and associated infrastructure, access (including diverted public right of way), parking, and landscaping.
- 2.2 The development proposes 3 units at three storey level. The floor space (GIA) breakdown for each unit is as follows; Unit 13: 4,573sqm; Unit 14: 3,122sqm; Unit 15: 4,234sqm. Therefore, the proposals total a floorspace of 11,929 sqm. The units will operate flexibly under Class E(g)i and/or E(g)ii and/or E(g)iii to suit the operator needs.
- 2.3 The proposal will include a new vehicular access off Wendlebury road, cycle and walking infrastructure in the form of a segregated shared path is also proposed alongside Wendlebury road and Charles Shouler Way. Furthermore, the proposal will include a parallel crossing on the southern arm of the Vendee Drive roundabout, linking the segregated shared path, north west of the site, adjacent to the A41 and the Holiday Inn.
- 2.4 The proposal will also include a diversion of the existing public right of way which runs across the site in the south eastern corner between the unused slip way and the Wendlebury Road. The diversion will go around the southern and western edge of the car parking area south east of the site.

3. RELEVANT PLANNING HISTORY

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

20/00293/OUT – Outline application (Phase 1B) including access (all other matters reserved) for up to 4,413 sqm B1 office space (47,502 sq.ft) GIA, up to 273 residential units (Use Class C3) including ancillary gym, approximately 177 sqm GIA of café space (Use Class A3), with an ancillary, mixed use co-working hub (794 sqm/] 8,550 sq.ft GIA), multi-storey car park, multi-use games area (MUGA), amenity space, associated infrastructure, parking and marketing boards - Granted on the 1/4/2021.

21/02723/OUT - Variation of condition 16 (phasing plan) of 20/00293/OUT - To remove the requirement to deliver the mixed use co-working hub as part of the first residential phase – Granted on the 12/10/2021

16/02586/OUT - 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 – Granted on the 26/7/2017

22/02025/REM - Reserved Matters to 16/02586/OUT - Access, layout, scale, appearance and landscaping details for Phase 1B for up to 12 No knowledge economy units in Use Class E (former Use Class B) (14,972 sq.m gross external area) with associated parking, landscaping, utilities and access – Granted on the 11/11/2022.

- 3.2 The northern part of the site falls within the “Bicester 10: Bicester Gateway” allocation and a small parcel of unallocated land to the south sits outside the land allocated. The allocation is for knowledge economy development under Use Class B1 (replaced by Class E(g)i-iii), intending to attract high tech knowledge industries and create 3,500 jobs. The wider allocation site has had previous Phases 1-3 for knowledge industries approved, now known as the Catalyst Bicester development, together with a Hotel (Holiday Inn) and Gym/Leisure facility (David Lloyd). This was all, apart from the hotel which was approved by 16/02586/OUT, approved under the original applications; 19/01740/HYBRID and 19/01746/OUT with subsequent reserved matters and NMA applications.

4. PRE-APPLICATION DISCUSSIONS

- 4.1 No pre-application discussions have taken place regarding this proposal.

5. RESPONSE TO PUBLICITY

- 5.1 This application has been publicised by way of a site notice displayed near the site on 01 July 2024 and by advertisement in the local newspaper displayed on the 13th of June 2024. The final date for comments was 21 July 2024, although comments received after this date and before finalising this report have also been considered.
- 5.2 No public comments have been received.

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.

6.2 *TVP Designing Out of Crime Officer*

‘Thank you for consulting me on the above application. I have reviewed the submitted documents and crime statistics for the local area. I have some concerns with the proposals in terms of the potential for crime and disorder, and I ask that further information is provided and plans amended prior to permission being granted. In order to ensure all opportunities are taken to design out crime from the outset, and to ensure all areas of the development are sufficiently secured to reduce the opportunities for crime and disorder to occur, I ask that the following or similarly worded condition be placed upon any approval’ - Secured by Design accreditation on the development recommended by condition.

The Officer also made comments in regard to the development’s security measures related to the parking areas, cycle stores, vehicle mitigation (bollards), postal deliveries and fire exits.

6.3 *Thames Water*

No objection subject to a water capacity condition

6.4 *Urban Design Officer*

- Design and appearance are functional and the colour palette, scale and massing reflects the wider business park
- Proposed planting does not reflect scale of proposed buildings and prominent gateway location
- More trees and planting in parking areas
- Permissive path and diverted footpath are not legible and are circuitous
- Open cycle parking is not integrated into design
- No outdoor amenity space
- No provision for Public Art
- Details of retaining wall and guard wall

6.5 Bicester Bike Users Group

Initial comments;

- Segregated Cycle Paths along Charles Shouler Way and Wendlebury Road
- Inconvenient cycle access
- Parallel crossing being discussed
- Proposed diversion of the right of way results in a much longer right of way that is incomplete because it does not connect to another highway but instead a permissive path that may be withdrawn by the landowner
- The PROW should continue to connect directly to Wendlebury Way and there should be a segregated path along Wendlebury Way frontage of the development with a continuous cycle path across the mouth of the entrance.
- Cycle crossing along Wendlebury Road / Charles Shouler Way.
- Not clear why the current wide slipway is proposed to be narrowed to a width below that required by the Bicester LCWIP. The paths should be segregated and/or retained at their current width.
- The proposed bollards on the slipway are inevitably not compliant with equality law and do not accommodate cycle design vehicle. A single post appropriately spaced should be sufficient.
- In relation to cycle parking, 2-tier racks are not recommended.

Follow up comments;

- The landing areas of the parallel crossings are rather restricted and could lead to a collision risk. These area sizes should be increased if possible.
- The path along Charles Shouler Way is shown as shared. Note that the Bicester Local Cycling Walking Infrastructure Plan (LCWIP) specifies that these should be segregated. As is becoming well known, shared provision is not appreciated by either pedestrians or cyclists and is no longer generally recommended.
- There is no horizontal buffer / segregation between the paths and the carriageway along Charles Shouler Way. LTN1/20 recommends a desirable minimum separation of at least 0.5, though a greater separation will increase the usability and attractiveness of this route.
- Note that in any event, the Bicester LCWIP specifies that shared paths should have a minimum width of 3.5m where possible.

-There is reference in the road safety audit to guard railing. Note that any vertical features will effectively reduce the width of the paths, and the paths should therefore be widened accordingly.

-The uncontrolled crossing over the Charles Shouler arm of the Wendlebury Road / Charles Shouler Way roundabout is currently envisaged as pedestrian only and is accordingly very narrow. Nonetheless, it is inevitable that it will be used by both pedestrians and cyclists giving rise to a collision risk. Given these works to upgrade the junction, it would be advisable to widen this crossing so as to be suitable for both pedestrians and cyclists, similarly to the other junction arms.

- As currently designed, there is no safe cycle provision along the frontage of the site on the Wendlebury Road. The current cycle path should be extended road and segregated (as per the LCWIP) to the site entrance on the Wendlebury Road. There should also be a LTN1/20 compliant partially or full setback crossing across the site entrance for safety.

-It is not clear what is proposed for the flyover access, but we note that the previous designs were not disability compliant and did not have the minimum 1.5m clearance between obstacles required by OCC design standards.

6.6 OCC Highways:

Initial comments;

Objection, subject to amendments sought as follows:

-A safe and suitable crossing of the Charles Shouler Way arm of the Vendee Drive roundabout – linking the existing shared route past the Holiday Inn to the new section that the development will be improving alongside the A41.

-A new segregated pedestrian and cycle route along the northern frontage of the site, along Charles Shouler Way, as identified in the LCWIP. This would provide a link from the new crossing (above) to the main entrance.

-The new section along Wendlebury Road, past the site access, should be fully segregated.

-The informal crossings of the Wendlebury Road Roundabout should be upgraded to allow cycles to cross, currently these are pedestrian only crossings.

-A suitable pedestrian / cycle access through the site providing a logical route for staff accessing the development and connecting with the improved route on the A41.

Follow up comments;

No objection subject to S106 Contributions as summarised in the below;

£232,239 Highway Works Contribution indexed from February 2024 using Baxter Index Towards: The Bicester Southeast Perimeter Road.

£18,712 Public Transport Infrastructure Contribution indexed from April 2022 using Baxter Index Towards: Real Time Passenger Information displays at the pair of A41 bus stops at the Holiday Inn Express.

£9,220 towards Travel Plan Monitoring Fee indexed from April 2024 using RPI-x

The requirement to agree to enter into a S278 agreement with the Local Highway Authority to deliver safe and suitable access to the development as approved by this application as well as the offsite measures identified:

- Formation of site access junction with LTN 1/20 compliant setback for cycleway and cycle priority across the access arm
- Shared use footway / cycleway from the Wendelbury Rd / Charles Shouler Way roundabout junction along Wendlebury Road to a point south of the site access junction with a suitable transition between the cycleway and carriageway at agreed point. Shared use facility should have a standard width of 3.5m with a 0.5m buffer between shared use facility and carriageway
- Extension of 30 mph speed restriction along Wendlebury Road to a point south of the junction with the unnamed road leading to Chesterton
- Widening of Wendlebury Road to 7.3m from the site access junction to the Wendlebury Rd / Charles Shouler Way roundabout. Taper back southwards from centreline of new access junction.
- Tiger crossing over Charles Shouler Way arm of the A41 / Vendee Drive / Charles Shouler Way roundabout.
- Shared use footway / cycleway with a standard width of 3.5m along the south side of Charles Shouler Way between the new tiger crossing listed above and the Wendlebury Road roundabout junction. 0.5m buffer between shared use facility and carriageway.

The above works are indicatively shown on Drawing No: 23022 – TP – 003 Rev: C

The above works are to be secured by means of S106 restriction not to implement development until S278 agreement has been entered into. The trigger by which time S278 works are to be completed shall also be included in the S106 agreement. Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements. Traffic Regulation Order fee (TBC) is also required as part of the S278 works.

Planning Conditions required related to CTMP, Framework Travel Plan and Travel Plans.

6.7 CDC Ecology

Initial comments;

-Outdated GCN surveys.

-Lack of an appropriate BNG metric which includes pre and post habitat parcels and maps and no full account for hedgerows and watercourse

Follow up comments;

No objections subject to the following conditions;

-Works to be carried out in accordance with the report by Tyler Grange

-A HMMP condition for securing onsite enhancements (to be pre-commencement alongside automatic Biodiversity Gain Plan) as detailed in EclA

-A CEMP – biodiversity – to outline the protection measures proposed in the EclA by Tyler Grange

-A Biodiversity Enhancement Management Plan (BEMP) to outline the enhancements proposed in the EclA by Tyler Grange

6.8 OCC Archaeology

No objections subject to an WIS implementation and compliance condition.

6.9 OCC Countryside

The proposed diversion of the PROW on the site appears reasonable. The diversion is however subject to a separate legal mechanism where the route, width, infrastructure and surface details will need to be agreed.

6.10 CDC Landscape

Initial comments;

-An LVIA is required

-Amendments required to Landscape Management Plan to include provisions of Ecological Assessment

-LMP should also include species watering schedules for all weather conditions, maintenance, litter picking and pest control details.

-Further viable planting along A41 boundary to mitigate visual harm to most sensitive visual receptors

Follow up comments;

-LMP now very comprehensive but need to mention proposed A41 screened trees

-Amendment to detailed landscape proposal sheets

-The proposed Hedge and tree species along the A41 boundary unlikely to be viable due to lack of growing space and soft grounding.

6.11 CDC Arboriculture

Initial comments;

Tree removals are acceptable subject to replanting mitigation. Further comment on this pending cycle lane amendments.

Minor above ground conflict between individual trees, and buildings from N/W group bordering A41 expected. Ash species, it isn't considered justified to allow this to obstruct the proposal due to the likelihood of ash dieback impact.

T1 – plan suggests considerable pruning close to 50% cut back from car park, agent to confirm, this appears excessive and would conflict with BS3998:2010.

RPA impact – the report touches on mitigations for working within and adjacent to RPAs. By the nature of an impact assessment, this doesn't cover the level of detail required to be considered as an AMS. Greater detail on working practices within RPAs will be required, which can be covered through submission of an arboricultural method statement.

These comments from preliminary comments regarding the North, West and South of the site. It's understood the east of the site will see modification to include a cycle lane, I will add to these comments once amended plans are submitted.

Follow up comments;

No objections subject to suggested AMS and Tree planting conditions.

6.12 Historic England

'We support the advice provided by the Oxfordshire County Council Archaeology Service, on a programme of archaeological investigation and mitigation, and appropriate measures to ensure the preservation in situ of non-designated, but highly significant, archaeological remains'

6.13 CDC Building Control

We are not totally clear on the full scope of these works in relation to building regulations, however, as a minimum a full plans building regulation application should be submitted to control the substructure drainage systems.

6.14 CDC Drainage

No comments, subject to any from the LLFA. The drainage proposals are acceptable.

6.15 CDC Environmental Protection

No objections subject to CEMP, AQA report and Land contamination conditions.

6.16 Right of Way Officer

'From reviewing the documents submitted, we note that Chesterton FP 161/8/20 runs across the corner of the proposed development site. We must, therefore, stress that the effect of development on a Public Right of Way is a material consideration in the determination of applications for planning permission. Appropriate weight should be given to the impact on the Public Right of Way including the surrounding network when determining this application.'

The council will always expect any developer to design the existing Public Rights of Way within any new development layout, therefore, we would have expected the developer in this instance to include and maintain the existing Public Right of Way on its existing legal alignment in any design proposal that it submits. However, we note that there is a proposed diversion included within the submitted plan documents and this appears to have been placed around a carpark, so it has been boxed in, with an increased length and with corner angles, which does not appear attractive or inviting for any user.

The applicant should note that any proposed diversion route should have prior approval by Oxfordshire County Council's Countryside Service and the district council would need to receive sight of this approval to ensure that the proposed

alignment meets their Network requirements. The applicant is advised to contact Oxfordshire County Council's Countryside Service to discuss their proposal.'

A email was received from one of the applicant's agents on the 12th of July 2024 in response to these comments made by the Legal Right of Way Officer. The letter outlined the current poor state and usability of the Public Right of Way subject to diversion under the current scheme and the betterment the scheme will bring to the usability of the Public Footpath.

6.17 OCC LLFA

No objections subject a compliance condition and SUDS installation condition.

6.18 CDC Economic Development

'The proposed Phase Four development forms the important 'Gateway' (to Bicester) element of the Catalyst site identified in Cherwell's Local Plan adopted in 2015. Upon a foundation of enabling hotel and leisure development, the adjacent Catalyst development has proven itself to meet the needs of high technology occupiers of buildings dedicated to the growing knowledge-led economy.

The creation of such facilities is crucial to the Council's ambition to provide local employment opportunities alongside the formation of new households. Additional, modern employment premises are important to both attract inward investment and to enable dynamic local businesses to expand – to secure a sustainable and resilient local economy.

The creation of additional high-specification commercial and employment facilities that align with the needs of the current and projected market are to be welcomed. The coherent design of the proposed units, the orientation and addition of landmark buildings beside the A41 will be of interest to businesses seeking to present themselves positively at a prominent location for Bicester Garden Town. The co-location of such businesses would be expected to enhance the profile of the Catalyst development on the Oxford-Cambridge Arc.

It would also further enhance the prospect of a 'technology corridor', comprising nodes between Oxford and Bicester focussed upon accommodating 'spin-out' university enterprises and some of the most innovative UK businesses seeking integrated research-design-production space that is restricted in supply in Oxford city.

The spaces created within these speculatively constructed units must be flexible to accommodate the specific requirements of currently unknown occupiers, and their evolving needs (and the needs of their successors) over future decades. The crucial point is that, with ample provision of general industrial and warehousing premises elsewhere, the emerging 'technology hub' at this location is not contradicted or diluted in its formation. Indeed, it would be expected that – with a critical mass emerging – that a higher/further education partner would identify the area as suitable for an Innovation Centre/Catapult-type development to support the emerging growth.

The anticipated job numbers of the proposed development are likely to fit between the lower range (R&D) and the upper range of 'mid-office' occupiers. The higher number of jobs created by office-type uses would assist the Council's policies of creating more local employment opportunities and it may therefore be appropriate to include an appropriate planning condition to safeguard the development site in the longer-term. Overall, the proposal represents a welcomed addition to the stock

of modern premises in Bicester. This would directly contribute to the Council's policies to enable the creation of a vibrant local economy providing attractive local employment opportunities.'

6.19 CDC Planning Policy

No objection subject to a condition controlling the quantum of office space within the units.

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 2015)

- SLE1 - Employment Development
- SLE2 - Securing Dynamic Town Centres
- 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)

- 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

Other material planning considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide
- SPD Developer Contributions

- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Cherwell Design Guide (2018)

8. APPRAISAL

8.1 The key issues for consideration in this case are:

- Principle of development
- Transport and Highways
- Landscape and Arboricultural
- Design, and impact on the character of the area
- Heritage impact
- Ecology impact
- Flood Risk and Drainage
- Energy Efficiency and Sustainability
- Environmental Impacts
- Other materials considerations
- Planning Obligations
- Planning Balance and Conclusions

Principle of Development

Policy Context

- 8.2 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.
- 8.3 The Development Plan for Cherwell includes the Cherwell Local Plan 2011-2031 (adopted in July 2015), the saved policies of the Cherwell Local Plan 1996 and a number of adopted Neighbourhood Plans.
- 8.4 Policy Bicester 10 of the CLP 2031 Part 1 allocates an area of land to the southwest of Bicester, described as Bicester Gateway, for the provision of B1 Business Use (office, research and development, light industrial), with development focussed on high tech knowledge industries. The policy sets out that approximately 3,500 jobs could be delivered through development of the site in this way, albeit recognising that site constraints may reduce numbers slightly. It is envisaged that the Bicester Gateway development has the potential to be a major high quality employment area at a critical gateway into the town providing opportunities to encourage the knowledge economy associated with Oxford, with a key place shaping principle being “the provision of high quality property to attract and retain ‘best in class’ technology companies”
- 8.5 The policy includes a number of key place shaping principles to create a high-quality development at this important gateway site as well as to provide for a well-connected development in transport terms and to enable site constraints to be appropriately responded to.
- 8.5 The Policy Bicester 10 allocation has been brought forward in parts. The land to the west of Wendlebury Road (which includes the application site) comprises two parcels of land with previous outline permission (ref; 16/02586/OUT) having been granted; the northern parcel (Phase 1a) for a hotel (with reserved matters permission having

been granted for it), Phase 1a has been fully implemented and is in operation. The southern parcel (Phase 1b) included a proposal for knowledge economy use with a GEA floorspace of 14, 972sqm (reserved matters also has been granted).

- 8.6 The proposed development site will sit within the southern parcel of land west of Wendlebury Road (similar site area as the extant Phase 1b site area). The development site comprises of both land allocated by Policy Bicester 10 and land outside of the Bicester 10 allocation. The application follows a previous outline approval referenced above and another outline ref; 20/00293/OUT. Within both applications Officers concluded that the extension of the development into the parcel outside the allocation was logical given that the land comprises one field (with there being no physical boundary between land allocated and unallocated) and the land is also contained in nature, meaning that it's development would not have a materially adverse effect on the natural landscape.
- 8.7 In addition, its development would help deliver further employment development on land that would, if left undeveloped, have little environmental, economic or social value. Therefore, the principle of developing the land to the south of the Bicester 10 allocation for a commercial use is therefore established by the 2016 and 2020 outline permissions, indeed the site area for the 2020 outline permission extended beyond the disused slip road which forms part of the current proposal, to areas further south of Wendlebury Road, this extension was also deemed acceptable.
- 8.8 Overall, based on the previous permissions at the development site there is no objection to the current proposal's sitting on both land allocated by Policy Bicester 10 and land outside of the Bicester 10 allocation.
- 8.9 As already mentioned, there has already been consent granted within the land parcel subject of this development for knowledge economy units in Use Class E (formerly Use Class B1). The permission related to 14, 972sqm of gross external area related to this knowledge economy use.
- 8.10 The initial Bicester 10 policy was formerly related to a B1 business use for high tech knowledge industries. Within the updated Use Class Order (2020), B1 use class has now been replaced with E(g). The current development proposes the flexible use of the Units under Class E(g)i and/or E(g)ii and/or E(g)iii to suit the operator needs. Part A of Schedule 2 under Article 3 of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations (2020) states that Class E (g) relates to;
- (i) Offices to carry out any operational or administrative functions*
 - (ii) Research and development of products or processes*
 - (iii) Industrial processes*
- being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*
- 8.11 Class B1 also formerly included Office/Research and Development/Light industry uses which could be carried out in any residential area without detriment to the amenity of that area. Therefore, the proposed Use Class E(g) reflects the Policy aspirations of Bicester 10 for business use for high tech knowledge industries with flexible uses within that Class to accommodate the needs of future occupiers.
- 8.12 The planning statement highlights that the maximum quantum of Class E(g)i – office space would be capped at 50% of the total 11, 929 sqm GIA proposed. This limit on office is supported by the CBRE report which accompanies the application and highlights that the demand for office space is not as strong in the recent years.

- 8.13 The proposal would also be complementary to the business uses delivered on the eastern side of the Wendlebury Road (by the same applicant) as part of the same allocation, which also emphasises the acceptability of the scheme in this respect.
- 8.14 In terms of jobs creation, Policy Bicester 10 sets out that approximately 3,500 jobs could be delivered through development of the site. However, there is a recognition that site constraints may reduce this number. Thus far, the Catalyst Bicester Phases (including the health and rackets club) under refs; 19/01740/HYBRID and 19/01746/OUT was anticipated to create 1500 jobs. The Holiday Inn implemented under Phase 1a (ref; 16/02586/OUT) was noted to create 50 jobs. The previously approved Phase 1b for commercial use at the subject development site was expected to create up to 550 jobs and the alternative resi-led mix use scheme (ref; 20/00293/OUT) at the subject development site was expected to create 375 jobs.
- 8.15 Based on the above, the approved development for the whole of Bicester 10 was anticipated to deliver a minimum of approximately 1,925 jobs which was deemed acceptable in previous schemes (20/00293/OUT & 19/01740/HYBRID).
- 8.16 The planning statement highlights that the permanent creation of jobs during the occupation phase would range from approx. 199 to 994 jobs. Considering the lowest number of jobs created for the current proposal, the minimum number of deliverable jobs across Bicester 10 would amount to 1,749 jobs, which would be 176 jobs less than the anticipated figure accepted in the previous schemes.
- 8.17 The agent was asked to clarify the scheme’s job creation in terms of the wide discrepancy and range of jobs created. They responded with the following;

The scheme proposes 11,929 sqm of flexible floorspace for uses which previously fell into the B1 use class.

Applying the employment density guide (extract below) at a mid-office rate (i.e. 1 job per 12 sqm) to all of the proposed floorspace would therefore equate to 994 jobs (11,929 / 12 = 994), whereas applying a low density r&d use (i.e. 1 job per 60 sqm) would equate to 199 jobs (11,929 / 60 = 199).

A range is expressed to reflect the fact that the end user(s) of the units are not yet known and the way the space will be used will not be fixed through the permission – in reality a blend of the different densities is likely to be more accurate – i.e. job creation will sit somewhere between the two figures quoted.

If the LPA determines it necessary to limit the office floorspace to 50% via a planning condition, then the maximum job generation projection would need to be adjusted to reflect this (a 50% office + high density r&d use could deliver circa 795 jobs, for example ((5,964.5 / 12 = 497) + (5,964.5 / 40 = 298) = 795).

Use Class	Sub-Category	Sub-Sector	Density (sqm)	Notes
B1a Offices	General Office	Corporate	13	NIA
		Professional Services	12	NIA
		Public Sector	12	NIA
		TMT	11	NIA
		Finance & Insurance	10	NIA
	Call Centres		8	NIA
B1b	R&D Space		40-60	NIA lower densities will be achieved in units with higher provision of shared or communal spaces
B1c	Light Industrial		47	NIA

- 8.18 Based on the above, Officers accept that due to the unknown nature of the end user(s) of the units and the fact that the way the space will be used will not be strictly fixed

through the permission it's likely that the units' occupation will result in a blend of densities (This is also noted and accepted by the CDC Economic Development Officer). As such, it's very unlikely that the development will generate the least number of jobs projected (199) due to the operational capacity of the units being able to accommodate both low and high density (Class E (formerly B1 use)) jobs.

- 8.19 In the unlikely event that the development does only produce the 199 high -density research and development jobs, this would be more preferable anyway in terms of quality of jobs and alignment with the comments from CDC Planning Policy (and the intention of Policy Bicester 10 for high technology knowledge industries) and submitted supporting employment study by CBRE which outlines that the demand for office space is not as strong in the recent years. Therefore, whilst the previously consented schemes produced more jobs relative to the minimum jobs projected for the current consent, most of these jobs (in particular the jobs related to the 4,413 sqm of office space under application ref; 20/00293/OUT) would have been low density office jobs, which are not considered favourable at the time of writing this report and determination. For these reasons, the quantum of office space (Class E g(i)) will be capped at a maximum of 50% of the overall proposed floorspace, this will be secured via a planning condition, based on this condition the maximum number of jobs the development creates would now amount to 646 jobs ($5,964.5 / 12 = 497$) + ($5,964.5 / 40 = 149$).
- 8.20 Overall, based on the considerations above, the range of quantity and quality of the jobs that would likely be generated under the current development proposal align with the Bicester 10 policy aspirations (considering site constraints limitations) and current employment market conditions. As such, from a job creation standpoint, the principle of development is also accepted.

Transport and Highway Impact

Policy Context

- 8.21 Policy SLE4 of the CLP 2031 Part 1 requires that new developments maximise opportunities for access to sustainable modes of travel and seeks improvements to the highway network to mitigate significant adverse impact of traffic generation resulting from new development.
- 8.22 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.

Assessment

Vehicular Access and Parking

- 8.23 The development proposes a new vehicular access off Wendlebury Road, along the site's eastern boundary. The access will be a priority junction, and this will be the only vehicular access to serve the site. OCC Highways are satisfied with the proposed vehicular access as its deemed to provide suitable and appropriate visibility splays relative to the access's location, OCC Highways are also content with the swept path analysis which demonstrates that large vehicles would be able to safely enter and exit

the site. A Stage 1 Road Safety Audit has been carried out and OCC Highways noted that the two items highlighted in that Audit have been reflected in the current layout. This includes extending the 30mph speed restriction on Wendlebury Road to a point beyond and south of the access junction. This would require OCC to make a Traffic Regulation Order (TRO) for which financial contributions are sought through a planning obligation.

- 8.24 The car parking proposed for the development is considered to be in line with the OCC's adopted parking standards for the proposed use class. Furthermore, 25% of all the spaces provided will have EV charging facilities, in line with the required standards.

Highway Network Impact

- 8.25 The submitted transport statement concludes that the trips generated by the proposed development would be less than the vehicular trips generated by the commercial element of the consented outline development (ref; 16/02586/OUT). The junction capacity analysis of the access junction and roundabout at Wendlebury Road / Charles Shouler Way demonstrates that those junctions are forecasted to operate within capacity with the addition of the proposed development. However, the development would still contribute towards the impact of cumulative traffic growth within Bicester.
- 8.26 It is noted that for the outline permission mentioned above, a contribution towards Strategic Transport Improvements to the A41 was agreed. The need for these Strategic Improvements to transport in Bicester remains. Therefore, within their comments OCC requested a revised figure to reflect the level of traffic generation relative to the current development, which officers consider reasonable and would be secured via a planning obligation.

Active Travel

- 8.27 The development is located within close proximity to the pair of bus stops located on the A41, near to the Holiday Inn Express. However, these stops currently lack Real Time Passenger Information (RTPI), displays which improve user experience and encourage public transport use. A contribution was requested in the 2016 outline permission towards installing RTPI displays at these bus stops and the same contribution is sought from this application and this will be also secured via a planning obligation.
- 8.28 In terms of shared cycle and pedestrian infrastructure, the outline application ref; 16/02586/OUT secured a shared 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. The implemented Phase 1A of this outline application has delivered this part of the shared footway/cycleway within the verge of the A41 adjacent to the Holiday Inn and Phase 1B of the outline would have delivered the rest of the shared path that would extend within the A41 verge adjacent of the Phase 1B commercial development red line into the disused slip road south of the site.
- 8.29 The current development initially proposed to retain the above arrangement in terms of the shared cycle and pedestrian infrastructure improvements for the site. However, since the approval of the outline application in 2017, there has been further relevant guidance issued at local, county and national level in regard to cycle infrastructure provisions. The Oxfordshire Local Transport and Connectivity Plan (2022), the Bicester Local Cycling and Walking Infrastructure Plan (2020) and LTN 1/20 Cycle Infrastructure Design (2020) all emphasise the need for improved provision for active travel with necessary infrastructure identified directly related to the site. Therefore, in

light of the new guidance Highways within their initial consultation response requested improvements to the cycle infrastructure in and around the site and the following improvements were requested;

-A safe and suitable crossing of the Charles Shouler Way arm of the Vendee Drive roundabout – linking the existing shared route past the Holiday Inn to the new section that the development will be improving alongside the A41.

- A new segregated pedestrian and cycle route along the northern frontage of the site, along Charles Shouler Way, as identified in the LCWIP. This would provide a link from the new crossing (above) to the main entrance.

-A new segregated pedestrian and cycle route section along Wendlebury Road, past the site access.

-The informal crossings of the Wendlebury Road Roundabout should be upgraded to allow cycles to cross, currently these are pedestrian only crossings.

- A suitable pedestrian / cycle access through the site providing a logical route for staff accessing the development and connecting with the improved route on the A41.

8.30 Discussions between LPA Officers, OCC Highways, the applicant and their transport consultant have taken place in regard to the requested details by the OCC highways. The discussions resulted in the applicant committing to providing the following;

-A section of off-carriageway/segregated cycleway on the site's Wendlebury Road frontage, past the site access.

-This cycleway along Wendlebury Road will adjoin with another off-carriageway cycleway only on the southern side of Charles Shouler Way, with the existing 2m facility on the northern side to be used as a footway only.

- Lastly, a tiger crossing facility (combination of a pedestrian zebra crossing with a crossing for cyclists) of the Shouler Way arm of the Vendee Drive Roundabout linking the existing shared route past the Holiday Inn to the new segregated cycleway on the southern side of Charles Shouler Way.

8.31 The existing and proposed segregated pedestrian and cycle routes along Charles Shouler Way and the site's Wendlebury frontage will provide direct off-carriage cycle/pedestrian routes past the development's proposed site access. Furthermore, the tiger crossing will provide a safe and direct route for cyclists from these new routes to the existing shared route past the Holiday Inn, directly linking the site and the other approved sites within the wider allocation with nearby residential areas north-west of the site and wider Bicester in general.

8.32 All parties also mutually agreed that the upgrading of the A41 route into a shared cycle/pedestrian path would no longer be necessary due to the suitable provision of a cycle path along Charles Shouler Way which provides a more direct link to the site and beyond from Bicester. Furthermore, the retention of the A41 route as existing would also in turn remove the need to enhance the disused A41 slip road to a shared cycle and pedestrian facility, instead the slip road will remain as existing and link onto the diverted footpath as addressed later in the report.

8.33 Overall, in light of the proposed cycle facilities along Charles Shouler Way and Wendlebury Road, an upgrade to the A41 route along the site's western frontage is not considered to provide much benefit as there isn't an extensive dedicated cycle infrastructure network south of the site. Therefore, on balance the inclusion of this

upgrade is not considered necessary for this development to be acceptable in planning terms.

- 8.34 The discussions also concluded that, by facilitating the above cycleways coupled with the existing off-carriageway cycleway on the eastern side of Wendlebury Road towards Bicester, it was not necessary for a cycle crossing facility to be provided on the Charles Shouler Way arm of the Catalyst roundabout as there is no cycleway facility along the western side of Wendlebury Road towards Bicester, which would directly link to the new Charles Shouler Way cycleway via such a crossing.
- 8.35 In regard to the final request by Highways in regard to a suitable pedestrian / cycle access through the site providing a logical route for staff accessing the development and connecting with the improved route on the A41. This is no longer necessary as the route on the A41 is no longer being improved. It's acknowledged that the A41 route still accommodates pedestrians on foot access. However, any access from the A41 would compromise the security of the site and the units considering the high susceptibility to crime this A41 corridor entails due to its proximity to a major highway. Therefore, it's expected that the site's boundary adjacent to the A41 will be secured by high secure boundary fencing with the location currently being considered to ensure that it does not form an inappropriate visual feature.
- 8.36 Upon receipt of the amended details which reflected the above agreed discussions, from the applicant, OCC Highways were reconsulted. They offered no further highways objections to the revised detailed plans. However, they mentioned the requirements of carriageway buffers for cycle/pedestrian paths proposed along Charles Shouler Way and Wendlebury road, together with a larger landing area for cyclists within the proposed tiger crossing. OCC Highways consider that these specific issues can be resolved through the S278 detailed design stage, to be secured if permission is granted.
- 8.37 Within their initial objection, the Bicester Bike Users Group (BBUG) also objected to the scheme and some of their objections aligned with the initial improvements requested by OCC Highways. Other separate objections raised by them included the following points;
- The proposed bollards on the slipway are inevitably not compliant with equality law and do not accommodate cycle design vehicle. A single post appropriately spaced should be sufficient.
 - Not clear why the current wide slipway is proposed to be narrowed to a width below that required by the Bicester LCWIP. The paths should be segregated and/or retained at their current width.
 - The circulatory carriageway of the Wendlebury Road Roundabout needs to be completed such that a cyclist can lawfully cross each of the arms
 - In relation to cycle parking, a 2-tier racks are not recommended.
 - Proposed diversion of the right of way results in a much longer right of way that is incomplete because it does not connect to another highway but instead a permissive path that may be withdrawn by the landowner.
- 8.38 The intentions of BBUG to create a safe environment for cyclists in terms of the enhancement of the Wendlebury Road Roundabout to enable cyclists to lawfully cross each of the arms is noted. However, considering that Wendlebury Road is a rural lane and not a heavily trafficked route and as established in the previous phases in the eastern and southern arms of the roundabout are the quietest. Therefore, cyclists

travelling from the existing cycleway north of Wendlebury road will be able to cross the quieter, thus safer, eastern, and southern arms of the roundabout to get onto the newly proposed segregated cycleway along the development site's Wendlebury road frontage.

- 8.39 In regard to cycle parking the 2-tier racks were considered acceptable and approved in the earlier phases of the wider allocation. Furthermore, OCC Highways raised no objections to this cycle parking and shelter arrangement, nor did they object to the level of cycle parking provided for the development. Therefore, the cycle parking as proposed is considered acceptable.

Another set of objections were received from BBUG (as per section 6.5 of this report) after they were reconsulted in light of additional set of Highway amendments received after the discussions with Highways (together with a meeting with BBUG in that period before amendments were received). However, officers are content with the negotiated details. Furthermore, some of the concerns raised by BBUG will be addressed at the detailed design stage as per the S278 works.

- 8.40 The application will also require the accommodation of a public right of way within the design of the site which will require its diversion (Chesterton Footpath 161/8/20) 8 161/8). The current alignment runs across the south-western corner of the site linking the disused road and the Wendlebury Road. The diverted route for the public right of way is a continuation of the section of the permissive path within the site, past the new access junction, the diversion is also linked to the new segregated cycle/pedestrian along the site's Wendlebury Road frontage. The diversion goes around the edge of the proposed car parking area in the south east corner of the site connecting to the disused slipway, south of the site. Whilst the diverted route inevitably has a different alignment and longer route through the site relative to the existing one, the start and end points of the route are in a similar position to the existing alignment.

- 8.41 OCC Countryside Access team offered no objections to the diversion. Other consultee comments from Urban Design, BBUG and the Legal Services Rights of Way Officer regarding the diverted footpath and permissive path's increased length and circuitous route along the site access and around the car park are noted. However, the realignment of the public right of way is considered to be acceptable in planning terms, particularly as the existing route is not fully accessible for all as its currently heavily vegetated and in a poor state. Furthermore, it currently exits onto Wendlebury Road with no pedestrian infrastructure and as part of this development the realignment now links onto the segregated cycle/pedestrian infrastructure proposed along the frontage of the site and is alternatively linked by the permissive path within the site. Furthermore, whilst the slipway is no longer being enhanced, the diverted route links onto this slipway to the south of the site offering an opportunity for the public right of way to connect into the wider footpath network beyond the site i.e., the public right of way (161/8/10), accessed via the unnamed road south of the site.

- 8.42 The diversion works are subject to a Public Path Order to be secured through the appropriate legal route. There would also be safeguards needed in place during the construction process in respect of temporary obstructions/ arrangements. An informative will be added to the permission to ensure that the applicant is aware of their legal duty in regard to formalising the diversion. The permissive pathway beyond its connections to the public right of way, also offers an alternative route for occupants/visitors to access the site at an earlier junction along the site's Wendlebury road frontage as an alternative to the main access, further down the site's frontage, accessed via the new segregated cycle/pedestrian. Therefore, permissive path improves the site's overall access by non-car users.

- 8.43 A Framework Travel Plan is required for the development, and this is expected to set out how sustainable modes of transport will be promoted. Furthermore, in addition to the Framework Travel Plan, because of the sizes of the individual units a full Travel Plan will be also required for each unit. The Framework travel plan submitted was deemed inadequate by OCC Highways. However, Officers are content that a revised Framework Travel Plan and the individual ones for each unit can be secured and discharged via a pre-occupation planning condition.

Conclusion

- 8.44 Overall, the proposed development is deemed acceptable in highways safety terms as set out above, in terms of the impact of the development on the highway network and safe provision for cyclists and pedestrians. The proposed walking and cycling infrastructure related to the development will improve sustainable travel options for users and visitors. Furthermore, these facilities will complement and link well with the existing cycle and walking infrastructure already secured in the previous phases of the wider Bicester 10 allocation. Discussions took place and the highway provisions were agreed with OCC Highways, this formed the basis of the follow up highway details for which OCC offered no objections to. Based on the above, the application is considered to meet the requirements of Policy Bicester 10 and SLE4 of the CLP 2031 Part 1.

Landscape and Arboricultural

Policy Context

- 8.45 Policy ESD13 of the CLP 2031 Part 1 relates to Local Landscape Protection and Enhancement. It requires development to respect and enhance local landscape character and not to cause visual intrusion into the open countryside or to cause harm to important landscape features and topography.
- 8.46 Policy Bicester 10 of the CLP 2031 Part 1 sets out the requirement for development proposals to be accompanied and influenced by landscape/ visual and heritage impact assessments and it requires structural planting and landscape proposals within the site to include retention of existing trees and hedgerows and to limit the visual impact of new buildings and car parking on the existing character of the site and its surroundings.
- 8.47 The National Planning Policy Framework, as part of encouraging good design, identifies that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Assessment

- 8.48 The CDC Landscape Officer requested the applicant to submit a Landscape and Visual Impact Assessment (LVIA) to ensure that the scale and massing are evaluated under this process with fully judged landscape mitigation measures. Officers deem that an LVIA is not necessary considering that the previous developments of a similar and greater scale and massing have already been consented at the site, therefore, it is deemed reasonable to consider the current scheme against baseline of the extant outline permissions in terms of landscape and visual impacts.
- 8.49 The buildings indicatively proposed under the site's consented outline applications ref; 16/02586/OUT (commercial aspect) and 20/00293/OUT were predominantly positioned along the site's western edge adjacent to the A41 and it was previously accepted within these schemes that due to the archaeological constraints it is

inevitable that the proposed buildings would need to be sited away from the south-eastern corner of the site, thus, closer to the A41. The reserved matters application approved (22/02025/REM) followed this principle too. The current development follows this pattern of development as the 3 proposed units are sited away from the constrained south-eastern corner of the site.

- 8.50 The majority of the residential use proposed under the 2020 outline application was located along the southern part of the site, which aligns with the sitting of Units 13 and 14 proposed under the subject scheme. The approved regulation plan for the 2020 outline consent indicated that that residential use was proposed to extend to 14m in height to the parapet but with the height extended to 17.5m set back 3m from each edge of the building, in contrast Units 13 and 14 are proposed to have a 14.95m ridge height set back from the eaves of 13.7m, by at least 7.5 metres on all elevations. Furthermore, these units will be set back from the A41 by a minimum distance of 40 metres (due to the presence of service yards in this area), which is at least 30 metres greater than the setback distance of the approved residential use proposed under the 2020 outline applications.
- 8.51 Unit 15 proposed under the current scheme would be located along the northern part of the site, fronting the corner of the A41 and Charles Shouler Way. This siting aligns with the L-shape block building approved under the regulation plan for the 2020 outline application, which would have had a height of 17.2m to the parapet but with the height extended to 19.6m set back 3m from each edge of the building, In contrast, Unit 15 is proposed to have a 14.95m ridge height set back from the eaves of 13.7m, by at least 7.5 metres on all elevations.
- 8.52 Unit 15 will be closer to the A41 and Charles Shouler Way boundaries relative to Units 13 and 14, as such, Unit 15 will retain a similar set back distance from A41 relative to the L-shaped block building and a marginally greater set back distance from Charles Shouler Way.
- 8.53 Overall, based on the above, the proposed development would have a lesser height and a similar/greater set back distance from the A41 and Charles Shouler Way than the approved 2020 outline application. Therefore, the scale, massing and sitting of the proposed development will only be perceptible from longer distances as per the previous conclusions under the 2020 outline application. However, as this was an outline application and the finalised structural planting and landscape proposals within the site to include retention of existing trees and hedgerows would have formed part of a future reserved matters application, in contrast the current application relates to a full application where such matters need to be considered at this stage. In regard to the Units approved under the 2022 reserved matters application, whilst these units were more comparable in terms of their commercial use with the proposed development, their height was lesser than that of the proposed units. Therefore, it was considered more appropriate to compare the development's height and scale relative to its visual impact, with the maximum parameters approved under the 2020 outline, which as per the above assessment are similar/greater than the proposed development's height and scale.
- 8.54 The proposed units under the current development are viewed in a different context in relation to each other. Unit 15 will be sited along a corner location, with minimal set back distance from the A41 and Charles Shouler Way. The landscape proposals indicate a lack of existing and proposed continuous dense and extensive planting along the boundary edge adjacent to Unit 15 despite its more prominent corner location. Therefore, views of this Unit from the A41 south-west of the site entering Bicester and the views when approaching the site from the west would be prominent by virtue of the Unit's lack of extensive screening, together with its siting and height. However, Unit 15 will be viewed in context with the adjacent existing Hotel along the

opposite corner location, the hotel has a similar set back distance from the A41 and Charles Shouler way as Unit 15. Furthermore, the hotel has a height of 17.5 metres, 2.5 metres more than Unit 15 and comprises of a greater length in terms of its elevation adjacent to the A41 relative to Unit 15. Therefore, despite the lack of continuous dense and extensive planting along the resultant boundary edge of Unit 15, Officers deem that this Unit would be acceptable due to its relationship with the adjacent hotel, which would still have a greater degree of visual prominence. Furthermore, the relationship between the two buildings would create a gateway and a sense of arrival into the wider business park.

- 8.55 In contrast, Units 13 and 14, have been designed to be more subservient to Unit 15 by virtue of their significant setback distance from the A41. Therefore, it is expected that more dense and tall planting is proposed along the stretch of the A41 boundary adjacent to the rear elevations of Units 13 and 14 to mitigate the visual harm of the development to the roadside visual receptors along A41 and more sensitive visual receptors highlighted by CDC Landscape in one of their consultation responses, along the PRoWs 161/1/20 (north-west of Vendee drive) 161/2/20 (south-west of Vendee drive) especially as their service yards are positioned here. Moreover, further dense and tall planting would also mitigate against the 3 trees to be removed along the A41 boundary adjacent to Units 13 and 14 and the number of Ash trees on the boundary with the A41 which could succumb to Ash Dieback, thus, exposing views of units 13 and 14 (and their service yards).
- 8.56 The initially proposed planting along the A41 boundary adjacent to the rear elevations of Units 13 and 14 is considered to be limited and would not mitigate for the potential visual harm identified above. The applicant provided an updated landscape scheme which indicates further planting along the A41 boundary to screen the Units 13 and 14 in particular. Such landscaping consists of double rows of a staggered hedge and tree planting in between, the planting would achieve a maximum height of up to 8 metres, which would provide significant softening of the development when viewed from visual receptors beyond the A41 boundary. However, the CDC landscape officer has concerns over the relationship of the new planting with the existing planting and proposed development's hard surfaced service yards, in terms of the limited soft grounding to allow for the growth of the planting, therefore, its viable long term retention. The applicant was informed of such concerns and Officers are currently awaiting the applicant's formal response to the Council's concerns, at the time of writing this report.
- 8.57 It is accepted that the applicant might not propose any further enhancements/amendments to alleviate the Council's concerns. Therefore, it is considered reasonable and necessary for Council to add a condition to the planning permission which will ensure that any of the planting to be retained or proposed will be replaced if they are deemed to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later). The condition will still be added to the permission even if the Council's current concerns are addressed to ensure that the agreed and proposed landscaping scheme is maintained over a reasonable period that will permit its long term establishment in the interests of mitigating the development's visual harm.
- 8.58 Notwithstanding the above, Officers do accept that the site is a strategic allocation for a knowledge-based economy where business parks inevitably include tall buildings. Therefore, it is not completely possible to conceal the buildings and this would not be desirable either, however, considering that Unit 15 has lessened degree of softening and screening for the reasons outlined above, it's even more important that a far greater degree of planting/screening is provided for Units 13 and 14 along that A41 corridor to achieve a scheme which has an acceptable balance between soft and

hard/build form features especially because the service yards would be most visible in the foreground of the buildings themselves.

- 8.59 The development's vehicular access and some of the cycle infrastructure is located along Wendlebury road. Therefore, several trees and vegetation will be removed to facilitate this, along the site's Wendlebury Road Frontage. Furthermore, the proposed units and the associated parking areas and hard surfacing would also front onto Wendlebury Road. Wendlebury Road was previously a rural lane with a narrow carriage way, however, some of the development approved in previous phases of the Bicester 10 allocation has already been implemented along this road. Such, development has brought forward significant infrastructure (new roundabouts, roads and walking/cycle facilities) and buildings of considerable height and massing, therefore, causing an urbanising effect of this formerly rural lane. The current development would exacerbate the urbanisation of this road, further detracting it away from its rural nature. However, within the previous phases and applications Officer's concluded that whilst the proposals were not particularly sympathetic to the 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. Therefore, 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 Local Plan. There is no reason to depart from this viewpoint relative to the development's landscape harm along Wendlebury Road, under the current scheme subject to appropriate landscaping mitigation measures.
- 8.60 In terms of landscaping proposed along the Wendlebury Road Boundary, the extent of what can be proposed is limited by the visibility splays related to the vehicular access and the cycle/pedestrian paths proposed. Furthermore, due to the archaeological constraints along the south-eastern corner of the site, (where a car parking area is proposed), there is very limited opportunities for new tree planting in this area.
- 8.61 As currently proposed the soft landscaping around the hard surfaces and built form across the site remains limited. However, the landscaping in and around the built form and hard surfaces of the approved and occupied sites within the wider Bicester 10 allocation is of a similar quantum, therefore, it would be unreasonable to further insist on greater levels of landscaping within the proposed development site (also considering site constraints), in light of this.
- 8.62 Based on the above, it is expected that the Council's concerns in regard to the viability of the further planting proposed along the A41 will be either be addressed by the applicant's response or a planning condition or both, before the committee date. The undeveloped area south-west of the site beyond the disused slip road, will retain the existing significant amount of planting and landscaping to screen the side of unit 13 which is directly adjacent to the site's south-western boundary.
- 8.63 In terms of the LMP, this has been amended continuously throughout the application to address the concerns by the CDC Landscape officer. At the time of writing Officers are awaiting minor amendments to this document, which we expect to be in receipt of by the time of the committee date.
- 8.64 A tree report was submitted with the application, and this indicates that the general condition, quality and landscape value of the existing trees is mostly poor with the exception of the trees identified for retention. Therefore, there is no principal objection from CDC Arb to the trees and planting removed provided that adequate replacement planting is secured. The latest landscape information provided with the exception of the A41 planting highlights viable and adequate replacement planting and landscaping to compensate for trees lost. Furthermore, CDC Arb have no objection

to the encroachment of the root protection areas (RPA) of some of the retained trees subject to the submission of an AMS to cover the specific details related to the development works which will fall in the RPA of some of the trees to be retained, the AMS will include tree protection plan to protect the existing trees and planting to be retained, during the construction phase of the development. This information will be secured via an appropriately worded planning condition.

Conclusion

- 8.65 Based on the above, Officers consider that the landscape and visual impacts of this proposal are acceptable having regard to the previous approvals on-site and the phases within the wider Bicester 10 allocation. The proposal would involve some visually prominent development with some of it specifically designed to create a gateway and sense of arrival into the wider business park. However, some of the units and the site in general, subject to planning conditions, will on balance be appropriately softened by existing and proposed planting/trees to minimise visual harm. On this basis, the proposal is considered to comply with Policies ESD13 and Bicester 10 of the CLP 2031 Part 1 and the NPPF.

Design and impact on the character of the area

Policy Context

- 8.66 Policy Bicester 10 of the CLP 2031 Part 1 requires compliance with Policy ESD15 and confirms that a well-designed modern area with the provision of high-quality property is required in order to attract and retain 'best in class' technology companies. It also refers to the need to achieve a high-quality design and finish, with careful consideration given to layout, architecture, materials and colourings and careful consideration given to building heights to reduce overall visual impact.
- 8.67 Policy ESD15 of the CLP 2031 Part 1, relates to the character of the built and historic environment and it seeks to ensure that development complements and enhances the character of its context as well as being designed to meet high design standards.
- 8.68 The National Planning Policy Framework also sets out the importance of good design, advising that this is a key aspect of sustainable development and enables better places to live and work to be achieved.

Assessment

- 8.69 As already mentioned in the landscape section, the character of the area, especially along Wendlebury Road has significantly changed predominantly from a rural and open nature to more of an urban appearance due to the infrastructure and built form brought forward in the previous phases of the wider allocation, with some of the units and buildings already in occupation.
- 8.70 The in-situ and approved commercial units which front Wendlebury Road and wider business park are characterised by high eaves and shallow pitch roof buildings, this will also be the case for the proposed units. Furthermore, the contemporary design of the units which comprise of large sections of aluminium framed glazing (which encourage natural surveillance), vertical metal cladding to the walls and a metal profile roof, and grey tone finish, will match the materials used for the existing and approved units in the previous phases, which are all materials atypical with commercial development. However, the proposed units will have a maximum ridge height of approximately 14.95 metres. Whilst this is an increase of about 3.5 metres relative to the existing and approved commercial units in the previous phases and an increase of approximately 3.1 metres relative to the 2022 reserved matters proposal at the site

the proposed maximum height would still be below the maximum height parameters of the buildings approved in the 2020 outline consent, which would have not only have been more prominent but also of a different resultant character and appearance (mixed use, including residential) to the proposed commercial units.

- 8.71 Further to the above, units 13 and 14 are set centrally within the site, thus, retaining a good setback distance from the A41 and Wendlebury Road boundaries. Therefore, this mitigates the increased visual prominence of these proposed units due to their height increase, relative to the existing and approved units of the wider allocation, some of which directly front onto Wendlebury Road, with minimal set back distances. As already mentioned, unit 15, has been intentionally designed to be closer to the A41/Charles Shouler Way boundaries, enabling this unit to serve as a prominent gateway, to the wider business park, together with the adjacent Hotel.
- 8.72 Roof plans for the proposal also indicate areas for PV panels to be positioned primarily along the roof slopes which do not directly face the public realm, therefore, minimising the visibility of the panels. Based on the above considerations, the scale, design appearance of the proposed units are deemed to be in symmetry with and reflect the character of the in-situ and approved commercial units related to the previous phases of the wider allocation.
- 8.73 In regard to the general building layout and their orientation within the site, the buildings have been designed to have active frontages (comprised of continuous ribbons of vertical and horizontal glazing) along the facades which face the public realm and the parking areas south-east of the site, adjacent to Charles Shouler Way and in between Units 14 and 15. Therefore, offering natural surveillance to these parking areas, together with the site's Wendlebury frontage where the main vehicular access, cycle/walking facilities are provided. The service and refuse areas are predominantly located to the rear of the units facing the A41 boundary, which will provide sufficient screening of such areas of hard surfacing. Cycle parking is predominantly located near the access points of the buildings, therefore, within overlooked and convenient locations for cycle users.
- 8.74 In terms of open space and planting, whilst a large proportion of the site comprises built development, the layout of the site is heavily constrained by the presence of the remains of part of the Alchester Roman Town settlement, which will be preserved in situ under the proposed carpark. This has in turn resulted in few opportunities for meaningful new soft landscaping and green spaces other than the retention and enhancement of existing linear features such as hedgerows, treelines and ditches. The balance between hard and soft landscaping features within the resultant site considering the assessment in the landscape section is deemed to be acceptable, on balance.

Conclusion

- 8.75 Overall, the layout, design, scale and appearance of the development is considered to reflect the character of the existing and approved commercial units the development will be viewed in context with. Therefore, constituting to a visually appropriate scheme which would align with the design aspirations for the site, as set out in policy Bicester 10 and the requirements of policy ESD15 of the CLP 2031 Part 1.

Heritage Impact

Policy context

- 8.76 There are no designated Listed Buildings in proximity of the site that would warrant full assessment. In terms of Conservation Areas, the closest is at Chesterton, over 550m to the west of the site. In addition, the Alchester Roman Town Scheduled Ancient Monument (SAM), which comprises an approximate 10ha area, is to the south and south east of the site. Furthermore, archaeology is a known constraint which also requires consideration.
- 8.77 Paragraph 205 of the NPPF states that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'*. The NPPF also states 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.
- 8.78 Policy Bicester 10 of the CLP 2031 Part 1 requires the conservation and enhancement of the setting of the Alchester Roman Town Scheduled Ancient Monument and the setting out of opportunities to better reveal its significance. The Policy also requires the staged programme of archaeological work in liaison with statutory consultees, given the archaeological potential close to the site. Policy ESD15 of the CLP 2031 Part 1 sets out that new development proposals should conserve, sustain and enhance designated heritage assets and ensure that new development is sensitively sited and integrated in accordance with the advice contained in the NPPF and NPPG.

Assessment

- 8.79 With regard to the setting of the designated Heritage Assets, the Chesterton Conservation Area is some distance from the site and therefore this separation distance, as well as the extensive intervening tree belts, means that there would be very limited impact upon the setting of this heritage asset. Any limited impact would be outweighed by the public benefit of providing employment development in a sustainable location.
- 8.80 As already mentioned, the site lies in an area of considerable archaeological interest and potential, immediately west of an area of intense Roman occupation, and north of the Scheduled Roman Town at Alchester. An archaeological evaluation on the site has shown that Roman activity extends into the southeastern part of the development site, however the report on this evaluation has not been submitted. OCC Archaeology requested that to ensure that the archaeological potential of the site can be fully considered in the determination of this application, the approved archaeological evaluation report should be submitted.
- 8.81 During the determination period of the application, the applicant submitted an archaeological evaluation for approval by OCC Archaeology, which indeed confirmed that Roman activity extends into the southeastern part of the development site, as shown in the approved submitted archaeological evaluation report from Cotswold Archaeology. The report sets out that the area of dense Roman activity recorded in the evaluation will be preserved in situ, and the remainder of the site will be subject to archaeological monitoring and recording, as detailed in the submitted approved WSI.
- 8.82 OCC Archaeology recommended that should planning permission be granted, the applicant should be responsible for ensuring the implementation of archaeological monitoring and recording to be maintained during the period of construction, in line with the submitted Written Scheme of Investigation (Cotswold Archaeology 2024). This condition will be added to the application.

- 8.83 Based on the above, officers are confident that that scheme will comply with policies Bicester 10 and ESD15 of the CLP 2031 Part 1 and the NPPF, which relate to the preservation of archaeology remains and mitigation of any harm to such heritage assets.

Ecology Impact

Legislative context

- 8.84 The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 8.85 Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 8.86 A mandatory 10% net gain on-site would be required for this development in accordance with the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Policy Context

- 8.87 Paragraph 187 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 8.88 Paragraph 193 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 8.89 Paragraph 198 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 8.90 Policy ESD10 of the CLP 2031 Part 1 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for

relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.

- 8.91 Policy Bicester 10 of the CLP 2031 Part 1 requires that applications be supported by an ecological survey and that there is adequate investigation and protection of and management of priority and protected habitats and species on site given the ecological value of the site. The policy requires that biodiversity be preserved and enhanced.

Assessment

- 8.92 The applicant initially submitted an Ecological Impact Assessment (EclA) dated May 2024. The EclA concluded that there were no features on-site to support roosting bats, and the retention of most of the boundary features will continue to provide foraging and commuting routes for common species of bats which were recorded onsite. Furthermore, should woody vegetation on the site be removed during the core nesting bird season (March-August, inclusive), a pre-works checks by an ecological clerks of work would be required to determine whether active birds' nests are present and to check for the presence of hedgehog. A planning informative can be added to the permission to ensure that no vegetation clearance works occur during March-August.
- 8.93 The Council's Ecology team were consulted in regard to the proposals. They concluded that the ecological assessment refers to great crested newt (GCN) surveys that had been last undertaken in 2016, which would now be outdated. Furthermore, they cited that the site is adjacent to a proposed District Wildlife Site, therefore, construction methods should take that into account. Therefore, development at the site would need to be undertaken in a sensitive way to ensure that any protected species that might be encountered are protected and in addition, long term measures are likely to be required to ensure that species are not harmed. In this respect conditions are suggested to require a Construction Environment Management Plan (CEMP) for Biodiversity to ensure no protected species are impacted in the development's construction. Furthermore, an appropriate lighting strategy would also need to be conditioned to limit light pollution which could impact foraging bats and by-passing protected species.
- 8.94 Further to the above, the council's Ecology team also requested the BNG metric to be submitted with referenced habitat parcels and pre- and post-development maps, together with a standard HMMP condition applied to any permission, after this information was provided. Lastly, they mentioned if there are ditches these should be included in the watercourse section of the metric with condition assessment and proposed 10% uplift.
- 8.95 The applicant in response to the above provided clarification that there were no ponds within proximity of the site which would provide habitation for GCNs. Any ponds nearby were deemed to be suitably separated. The Council's Ecology team raised no further objections to the development's impact on GCN's however it was advised any forthcoming CEMP would need to include mitigation measures in the unlikely chance a GCN is found onsite.
- 8.96 In regard to the additional BNG information, several rounds of further supporting evidence were received from the applicant, this included an existing and proposed habitat feature plan, an updated ecological impact assessment to account for all the hedgerows and watercourses and their condition assessment. The proposal provides some on-site biodiversity enhancements. However, the proposal would still result in a net loss of in habitat, hedgerow and watercourse units. As such, offsite units' creation

will be required for the scheme to achieve the required 10% uplift in biodiversity. The units required are as follows:

Habitat units

-Lowland Mixed Deciduous Woodlands; like for like replacement of 2.16 units.

-Other Neutral Grassland; same broad habitat type of same distinctiveness equal to 18.06 units.

-A total 20.22 habitat units are required to achieve a 10% increase in habitat units.

Hedgerow units

-Species-rich native hedgerow with trees, associated with bank or ditch is required to achieve a like for like replacement of 3.86 hedgerow units.

Watercourse units

-minimum of 0.46 watercourse units to achieve 10% in watercourse units

8.97 Ecology raised no objections to the above off-site enhancements subject to a Biodiversity Enhancement Management Plan (BEMP) to outline the enhancements proposed in the revised Ecology Impact Assessment. Furthermore, a Habitat Management and Maintenance Plan was also recommended to ensure the long-term management of the proposed on-site enhancement proposed.

8.98 Overall, officers are satisfied, on the basis of the advice from the Council's Ecologist, and subject to conditions, the proposed development will not cause harm to any protected species. Furthermore, the on-site and off-site biodiversity enhancements will achieve the required legislative biodiversity net gain for a development of this scale. Therefore, the proposed development is considered to be compliant with the NPPF, the Habitats & Species Regulations and Policy ESD10 and Bicester 10 of the CLP 2031 Part 1.

Flood Risk and Drainage

Policy Context

8.99 The NPPF states at paragraph 181 that *when determining applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.*

8.100 Policy Bicester 10 of the CLP 2031 Part 1 acknowledges the flood risk constraints of the allocated site requiring a flood risk assessment (FRA) and requires that the sequential approach to development is followed. It also requires the full mitigation of flood risk and the use of SUDs, including infiltration and attenuation techniques where appropriate.

8.101 Policy ESD6 refers to Sustainable Flood Risk Management and sets out that flood risk will be managed and reduced with vulnerable development to be located in areas with lower risk of flooding. Policy ESD7 sets out that all development will be required to use sustainable drainage systems for the management of surface water flooding.

Assessment

- 8.102 The site being located to the west of the Wendlebury Road is within Flood Zone 1 and therefore is less constrained than the eastern side of the allocated site. A Flood Risk and Drainage Assessment has been submitted with the application to assess the development's risk from flooding and the suitability of the site in terms of drainage.
- 8.103 The flooding information submitted has been considered by Oxfordshire County Council as the Lead Local Flood Authority who raise no objections subject to the imposition of conditions. The information demonstrates that the site has some risk from surface water flooding but that the risk is low and that a suitable drainage scheme can be achieved.
- 8.104 The submitted Flood Risk Assessment (FRA) and Drainage Strategy outlines several measures to mitigate and reduce surface water flood risk, these include
- Raising thresholds and building levels outside of design flood levels, with development to be constructed as per the provided plans/details.
 - Providing safe access and egress around the development.
 - Directing overland flows towards areas of low risk.
 - Implementation of SuDS to manage runoff at sources thus reducing flood volume.
 - Installation of pollution prevention features to prevent contamination at discharge locations.
 - Tree planting to increase biodiversity and absorption of water.
 - Management and maintenance to ensure correct operation of all drainage systems and managing residual risks post development.
- 8.105 The specific details for the above measures are highlighted in the supporting drainage plans which indicate building and site levels, overland flows, together with the information in the supporting Sustainable Urban Drainage Maintenance and Management Plan. Such information will be secured via an appropriately worded planning condition.
- 8.106 In regard to foul water, a new network of on-site gravity private domestic foul is to be provided as presented on the foul drainage layout. The site has the benefit of previous planning approval for pumped discharge into the new adopted Thames Water pump station located on the Holiday Inn Express site. The drainage statement also states that the preferable discharge point for the Site is to connect into the existing private drainage system on the wider Catalyst Bicester development, with the new gravity connection connecting into existing manhole which flows down to an existing private pump station. Thames Water have raised no objection to the above proposed foul drainage strategy noting that the scale of the proposed development doesn't materially affect the sewerage network infrastructure capacity.
- 8.107 In their consultation response, Thames Water have identified a potential inability of the existing water network infrastructure to accommodate the needs of this development. They have not objected on this matter but recommend a planning condition to ensure that upgrades are in place to ensure that sufficient capacity is available to accommodate the additional demands. This will be added to the planning permission.
- 8.108 Based on the above, the information provided and feedback from relevant consultees demonstrates that a suitable drainage scheme for both foul and surface water drainage can be achieved to ensure the risk from flooding on and offsite is minimised. A suitable water supply subject to a condition and no objections from Thames Water, can also be achieved. Overall, the proposed development is considered to comply with the NPPF and Policies ESD6, ESD7 and Bicester 10.

Policy Context

- 8.109 Policy Bicester 10 of the CLP 2031 Part 1 expects development on the allocation to demonstrate climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of Policies ESD 1-5. Policy ESD5 of the CLP 2031 Part 1 requires new commercial development of over 1000sqm floorspace and for new residential development for 100 dwellings or more to provide a feasibility assessment of the potential for significant on-site renewable energy provision. This is expected to then be provided if it is shown to be deliverable and viable. Policy ESD4 of the CLP 2031 Part 1 also requires a feasibility assessment to be carried out for such developments to consider whether District Heating/ Combined Heat and Power could be incorporated.
- 8.110 Policy ESD3 of the CLP 2031 Part 1 requires that all non-residential development will be expected to meet at least BREEAM 'Very Good' standard. It also requires development to reflect high quality design and environmental standards and for water, it is expected that a higher level of water efficiency than required by the Building Regulations be sought to achieve a limit of 110 litres/ person/ per day.

Assessment

- 8.111 The application is accompanied by an Energy Statement which highlights the potential sustainable design measures for the reduction of CO2 emissions. The statement utilises an adopted energy hierarchy in line with Policy ESD 2 of the Local Plan. The hierarchy incorporates 'Lean, Clean and Green' measures to demonstrate that intrinsically low energy buildings can be achieved and that carbon emissions can be reduced to the requirements of Building Regulations and the general requirements of Policies ESD 1-5.
- 8.112 The '*Clean*' element aims to supply energy efficiently via the use of a local District Heat Network or another form of decentralised energy supply, aligning with Policy ESD 4 of the Local Plan. The energy statement outlines that the buildings will consist of flexible employment spaces to be used as needed by the operator, the provision and connection to a decentralised heat network therefore would be unfeasible at this current time. In one of the previously approved applications (19/01740/HYBRID) of the wider Bicester 10 allocation, Officer's previously accepted the same feasibility study which concluded that the provision and connection to a decentralised heat network would be unfeasible at this current time due to the flexible employment spaces to be used as needed by the operator. Therefore, it is considered reasonable to take the same approach under the current application
- 8.113 The '*Lean*' element aims to reduce the energy demand and energy loss by designing efficiency into the thermal fabric of the building, focusing on air tightness, thermal mass and thermal bridging. Increase energy efficiency and controls of internal building services, such as lighting, heating, air-conditioning and ventilation. According to the submitted statement, particularly Table 5.2.2 of the statement outlines the design solutions appropriate and proposed for the development in relation to the lean element, include the building fabric and adaptation to climate change. The '*Green*' element aims for potential use of low carbon technologies to offset carbon emissions and energy usage, if feasible and required to comply with Building Regulations. Section 5.4.4 of the report states that Units 13 – 15 shall implement the relevant appropriate technologies derived from the feasibility study, these are Air-Source Heat Pumps and Photovoltaic Panels.
- 8.114 Table 14 in the statement outlines the Thermal Model Zone and System assignments for the different areas within the units and Table 15 also indicates the system

description for the air source heat pumps. Lastly, Table 16 outlines the area, inclination, orientation, cell efficiency, degradation and solar conversion factor of the solar panels. The total area for PV panels amounts to 843sqm, the proposed area is the maximum area placed outside of rooflights and areas/perimeters required to safely maintain the roof gutters, rooflights and Photovoltaic Panels. The specific details and locations of the air source heat pumps and PV solar panels will be secured via a planning condition.

- 8.115 By implementing the proposed building fabric and building services efficiencies, the units now comply with Building Regulations Part L2 Criterion One and achieves an EPC rating of 'A' as highlighted in Table 17 of the report. Table 18 in the report indicate that all the total reductions for Units 13 – 15 relative to the building energy consumption, heating/cooling demand and carbon emission rates equate to an improvement of at least 35% against the baseline targets.
- 8.116 The development achieves a minimum BREEAM rating of very good with scope for it to be excellent. In terms of water consumption, the report does not detail this in full, but details of the development's water consumption can be secured via a suitably worded planning condition.
- 8.117 Overall, the proposed development's design and energy efficiency measures outlined in the submitted energy statement are considered to align with the aspirations of Policies ESD 1-5 and Policy Bicester 10 of the Local Plan.

Environmental Impacts

- 8.118 Policy ENV1 of the Cherwell Local Plan 1996 states that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other types of environmental pollution will not normally be permitted. The policy states that the Council will seek to ensure that the amenities of the environment and in particular the amenities of residential properties are not unduly affected by development proposals which may cause environmental pollution including that caused by traffic generation. Policy ENV12 of the Cherwell Local Plan 1996 relates to contaminated land and states that development on land which is known or suspected to be contaminated will only be permitted if adequate measures can be taken to remove any threat of contamination to future occupiers of the site.
- 8.119 The Environmental Protection Team have recommended a series of planning conditions be imposed. With regard to noise, disturbances and environmental pollution during the construction phase of the development, Construction Environment Management Plan (CEMP) (separate to the Ecology one) was recommended to ensure construction works do not adversely affect residential properties adjacent to or surrounding the site. This condition is considered reasonable due to the scale of the development and its potential impact on the surrounding area.
- 8.120 The Council's standard contaminated land condition is recommended to be imposed on any permission. The site constraints show that the land is potentially contaminated. Therefore, a condition will be added to ensure that 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 have been submitted for approval by the council.
- 8.121 With regard to air quality, an Air Quality Impact Assessment was recommended to be sought due to the proximity of the development to the Bicester Queens Avenue/ Kings End AQMA and the likelihood of increased traffic flow from the development into the AQMA. The applicant has since submitted an air quality assessment to alleviate the need for this condition, the environmental protection team have been

consulted for comments in regard to this submission and at the time of writing Officers are still waiting for a response on this.

8.122 A condition to seek a detailed lighting scheme has also been recommended and this is considered a suitable condition to ensure the scheme does not cause harm in environmental terms but also for reasons of ecology as previously explained.

8.123 Given the above assessment, it is considered that environmental risks can be adequately dealt with via the imposition of conditions. This will ensure compliance with Policies ENV1 and ENV12 and ensure that the amenities of the residential properties are not unduly affected by environmental pollution.

Other materials considerations

8.124 Given the proximity and potential ease of access to the strategic road network and M40 motorway, and the resultant risk of the site potentially being at higher risk of targeted crime and ASB, Thames Valley Police highlighted some concerns in regard to this and requested a condition be placed upon any permission granted, requiring that an application shall be made for Secured by Design accreditation. However, as the applicant/agent has indicated that the development will not be seeking Secured by Design accreditation, it would be unreasonable to insist that this is included and this was the case with the previously approved reserved matters scheme.

8.125 Furthermore, a condition will be added to ensure that there is an appropriate boundary treatment around the site to mitigate the risk of targeted crime and Officers are generally confident that the scheme in terms of its layout has been designed in a way that does not have empty isolated/enclosed spaces with poor surveillance that encourage criminal activities. Lastly, it will be in the occupiers interests to ensure that adequate surveillance and security measures are implemented within the units and the site in general to mitigate crime and disturbances. Therefore, Officers are confident that such measures will be implemented at the appropriate stages by the relevant occupiers of the units.

8.126 In regard to the comments by the Urban Design Officer about outdoor amenity space, there is not a local policy requirement for employment development to accommodate this. Furthermore, there is provision for wetland and landscaped areas under the previously approved applications related to the wider Bicester 10 allocation, which will provide opportunities for usable amenity space for the occupants/employees of the units in and around the resultant business park. Furthermore, there is now provision for public art within the site and a scheme for such will be secured via a planning condition.

Planning obligations

8.127 A S106 Legal agreement will be required to be entered into to secure mitigation resulting from the impact of the development both on and off site. This would ensure that the requirements of Policy INF1 of the CLP 2031 Part 1 can be met, which seeks to ensure that the impacts of development upon infrastructure including transport etc can be mitigated. The Authority is also required to ensure that any contributions sought meet the following legislative tests, set out at Regulation 122 of the Community Infrastructure Regulations 2011 (as amended):

- Necessary to make the development acceptable in planning terms;
- Directly relate to the development; and
- Fairly and reasonable related in scale and kind to the development

8.128 The main contributions and obligations related to the development are sought from OCC Highways and they include the following;

-£232,239 Highway Works Contribution indexed from February 2024 using Baxter Index Towards: The Bicester Southeast Perimeter Road.

-£18,712 Public Transport Infrastructure Contribution indexed from April 2022 using Baxter Index Towards: Real Time Passenger Information displays at the pair of A41 bus stops at the Holiday Inn Express.

-£9,220 towards Travel Plan Monitoring Fee indexed from April 2024 using RPI-x

8.129 The requirement to agree to enter into a S278 agreement with the Local Highway Authority to deliver safe and suitable access to the development as approved by this application as well as the offsite measures identified:

- Formation of site access junction with LTN 1/20 compliant setback for cycleway and cycle priority across the access arm
- Shared use footway / cycleway from the Wendelbury Rd / Charles Shouler Way roundabout junction along Wendlebury Road to a point south of the site access junction with a suitable transition between the cycleway and carriageway at agreed point. Shared use facility should have a standard width of 3.5m with a 0.5m buffer between shared use facility and carriageway
- Extension of 30 mph speed restriction along Wendlebury Road to a point south of the junction with the unnamed road leading to Chesterton
- Widening of Wendlebury Road to 7.3m from the site access junction to the Wendelbury Rd / Charles Shouler Way roundabout. Taper back southwards from centreline of new access junction.
- Tiger crossing over Charles Shouler Way arm of the A41 / Vendee Drive / Charles Shouler Way roundabout.
- Shared use footway / cycleway with a standard width of 3.5m along the south side of Charles Shouler Way between the new tiger crossing listed above and the Wendlebury Road roundabout junction. 0.5m buffer between shared use facility and carriageway.

The above works are indicatively shown on Drawing No: 23022 – TP – 003 Rev: C

8.130 The above works are to be secured by means of S106 restriction not to implement development until S278 agreement has been entered into. The trigger by which time S278 works are to be completed shall also be included in the S106 agreement. Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

Traffic Regulation Order fee (TBC) is also required as part of the S278 works.

8.131 The County Council will require monitoring contributions to be secured to cover the cost of monitoring and enforcing the obligations within the S106 agreement, the final amounts to be negotiated. The County Council will also require an undertaking to cover their reasonable legal fees incurred in the drafting of the S106 agreement. All contributions will be index linked from an appropriate baseline to protect the value of the contribution. There are no planning obligations sought after by the District Council, therefore, there is no requirement for an undertaking or monitoring fees by the District.

Planning balance and conclusion

8.132 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.

8.133 The application site is partially allocated by Policy Bicester 10 and partially unallocated. The proposal represents a departure from the Development Plan in respect of the development on unallocated land. However, as detailed in the '*principle of development*' section the site has already benefited from previous aforementioned consents on the same land falling both inside and outside of the Policy Bicester 10 allocation area. Therefore, this position was already accepted in previous consents as it was concluded that the benefits that would be brought about as a result of the development of this site, would outweigh the potential harm and that there are other material considerations which on balance outweigh the conflict with the development plan.

8.134 Overall, the development aligns with the policy aspirations of the Bicester 10 allocation and the policies in the development plan as a whole as detailed in the full appraisal. Therefore, Officer's recommendation is that the planning balance lies in favour of approving the application.

RECOMMENDATION

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

- 1. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- 2. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**
 - a) Highway Works (1) - £232,239 (index linked)**
 - b) Transport Infrastructure Contribution - £18,712 (indexed linked)**
 - c) Travel Plan Monitoring - £9,220 (index linked)**
 - d) Payment of the District Council and County Council monitoring costs – (TBC)**
 - e) That the developer commits to enter into a S278 highway agreement and pay a fee relating to the required TRO.**

CONDITIONS AND REASONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1 Quantum of Development

The development hereby permitted shall comprise a maximum floorspace of 11, 929 sqm and shall be used only for purposes falling within Class E (g) of the Town and Country Planning (Use Classes) Order 1987 (as amended), of which no more than 50% (5, 964.5 sqm) shall be utilised for purposes falling within Class E(g)(i) (including

	<p>ancillary uses) of the Town and Country Planning (Use Classes) Order 1987 (as amended).</p> <p>Reason: In order to retain planning control over the use of the site.</p>
<p>2</p>	<p>Statutory Time Limit</p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p>
<p>3</p>	<p>Compliance with plans</p> <p>The development shall not be carried out otherwise than in complete accordance with the approved plans:</p> <ul style="list-style-type: none"> -Site Location Plan, ref; 23022-TP-001, dated 11 April 2024 -Proposed Site Plan, ref; 23022-TP-002C, dated 13 November 2024 -Proposed Site Finishes Plan, ref: 23022-TP-002C, , dated 13 November 2024 -Proposed Ground and First Floor Plan – Unit 13, ref; 23022-TP-004, dated 11 April 2024 -Proposed Second Floor and Roof Plan – Unit 13, ref; 23022-TP-005, dated 11 April 2024 -Proposed Elevation – Unit 13, ref; 23022-TP-007, dated 11 April 2024 -Proposed Section – Unit 13, ref; 23022-TP-006, dated 11 April 2024 Proposed Ground and First Floor Plan – Unit 14, ref; 23022-TP-008, dated 11 April 2024 -Proposed Second Floor and Roof Plan – Unit 14, ref; 23022-TP-009, dated 29 January 2024 -Proposed Elevation – Unit 14, ref; 23022-TP-011, dated 11 April 2024 -Proposed Section – Unit 14, ref; 23022-TP-010, dated 11 April 2024 Proposed Ground and First Floor Plan – Unit 15, ref; 23022-TP-012, dated 11 April 2024 -Proposed Second Floor and Roof Plan – Unit 15, ref; 23022-TP-013, dated 11 April 2024 -Proposed Elevation – Unit 15, ref; 23022-TP-015, dated 11 April 2024 -Proposed Section – Unit 15, ref; 23022-TP-014, dated 11 April 2024 -Cycle Shelter Details, ref; 23022-TP-016, dated 12 April 2024 -Refuse Enclosure Details, ref; 23022-TP-017, dated 12 April 2024 -Entrance Canopy Details, ref; 23022-TP-018, dated 12 April 2024 -Fencing and Barrier Protection Details, ref; 23022-TP-019, dated 12 April 2024 -External Finishes Sample Board, ref; 23022-TP-019, dated 12 April 2024 -Detailed Soft Landscaping Proposals Sheet 1-6, ref; LB467_D01F, dated 7 November 2024. -HGV Tracking Charles Shouler Way, ref; 26019-04-TRK-C, dated 8 October 2024 -Flood Risk Assessment and Drainage Strategy, prepared by Bailey Johnson Hayes -- Consulting Engineers (ref. S1502-FRA-V3 issue/revision 3) dated 15 October 2024 -Sustainable Urban Drainage Maintenance and Management Plan, ref; S1502, dated October 2024 -Exceedance Flow Route Plan, ref; S1502-05D, dated 14 October 2024 -Typical Drainage Details, ref; S1502-04B, dated 9 May 2024 -FW Drainage Layout, ref; S1502-03E, dated 14 October 2024

	<ul style="list-style-type: none"> -SW Drainage Layout, ref; S1502-02E, dated 14 October 2024 -External Works and Levels, ref; S1502-01H, dated 11 October 2024. -Ecology Impact Assessment by Tyler Grange, ref; 16582-R10b, dated 13 November 2024 -Existing Habitat Features Plan, ref; 16582/P01, dated December 2024 -Proposed Habitat Features Plan, ref; 16582/P02, dated December 2024 -Energy Statement by ESC, dated 9th May 2022. -Catalyst Phase 4 / Bicester Gateway BREEAM Pre-Assessment Cover Letter, ref; 503766, dated 7 March 2024 - Catalyst Phase 4 / Bicester Gateway BREEAM Assessment Tracker by Scott White and Hookins, dated 4 March 2024. -Catalyst Phase 4, Bicester, Oxfordshire Written Scheme of Investigation for Archaeological Monitoring and Recording by Cotswold Archaeology, ref; CA Project MK1025, dated May 2024 -Arboricultural Impact Assessment by Tyler Grange, ref; 16562-R10a, dated 6 November 2024 - Highways Technical Note Addendum by DTA Transport Planning Consultants, ref; SKP/26019-05, dated 12 September 2024. -Landscape Management Plan (awaiting receipt of amendment) -Detailed Soft Landscaping Specifications (awaiting receipt of amendment) <p>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.</p>
<p>4</p>	<p>Prohibition of Outside Storage</p> <p>No goods, materials, plant or machinery shall be stored, repaired, operated or displayed outside the buildings hereby approved unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.</p>
<p>5</p>	<p>Flood Risk</p> <p>The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy, prepared by Bailey Johnson Hayes Consulting Engineers (ref. S1502-FRA-V3 issue/revision 3) dated 15 October 2024, Sustainable Urban Drainage Maintenance and Management Plan, ref; S1502, dated October 2024, Exceedance Flow Route Plan, ref; S1502-05D, dated 14 October 2024, Typical Drainage Details, ref; S1502-04B, dated 9 May 2024, FW Drainage Layout, ref; S1502-03E, dated 14 October 2024, SW Drainage Layout, ref; S1502-02E, dated 14 October 2024 and External Works and Levels, ref; S1502-01H, dated 11 October 2024.</p> <p>The development shall thereafter be implemented in accordance with the approved surface and foul water drainage scheme (including flood mitigation measures) and shall not be occupied until the approved surface and foul water drainage scheme has been full laid out and completed.</p>

	<p>Reason - In accordance with paragraph 170 of the National Planning Policy Framework to reduce the risk of flooding on-site and elsewhere in accordance with Policy ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.</p>
6	<p>SUDS</p> <p>Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:</p> <p>(a) As built plans in both .pdf and .shp file format; (b) Photographs to document each key stage of the drainage system when installed on site; (c) Photographs to document the completed installation of the drainage structures on site; (d) The name and contact details of any appointed management company information.</p> <p>Reasons: To ensure that the principles of sustainable drainage are incorporated into this proposal.</p>
7	<p>Landscape Planting</p> <p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development (whichever is the sooner) and shall be maintained for a period of 5/10 years from the completion of the development. Any trees and/or shrubs which within a period of five/ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.</p> <p>Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.</p>
8	<p>Landscape Management Plan</p> <p>Wording TBC as waiting for amended document.</p>
9	<p>Land Contamination not Previously Identified</p> <p>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.</p> <p>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</p>

	<p>without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.</p>
<p>10</p>	<p>Archaeology</p> <p>Prior to any demolition on the site and the commencement of the development (other than in accordance with the submitted document Catalyst Phase 4, Bicester, Oxfordshire Written Scheme of Investigation for Archaeological Monitoring and Recording CA Project MK1025 Cotswold Archaeology 2024), a programme of archaeological mitigation shall be carried out 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 within two years of the completion of the archaeological fieldwork.</p> <p>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 NPPF (2024).</p>
<p>PRE COMMENCEMENT CONDITIONS</p>	
<p>11</p>	<p>Construction Management Plan (CMP)</p> <p>No development shall take place, including any works of demolition until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall be appropriately titled (site and planning permission number) and as shall provide for at a minimum;</p> <ul style="list-style-type: none"> • Routing of construction traffic and delivery vehicles including means of access into the site; • Details of and approval of any road closures needed during construction; • Details of and approval of any traffic management needed during construction; • Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway; • Measures to control the emission of dust and dirt during construction; • Measures to mitigate noise pollution arising from construction of development; • Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions; • The erection and maintenance of security hoarding / scaffolding if required; • A regime to inspect and maintain all signing, barriers etc; • Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided; • Details of the loading and unloading of plant and materials and the use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc; • Details of arrangements for site related vehicles (worker transport etc); • Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc;

	<ul style="list-style-type: none"> • A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted; • Any temporary access arrangements; • Delivery, demolition and construction working hours (which must be outside network peak hours); • Storage of plant and materials used in constructing the development; • A scheme for recycling/ disposing of waste resulting from demolition and construction works. <p>The approved Construction Management Plan shall be adhered to throughout the construction period for the development.</p> <p>Reason: In the interests of highway safety and to ensure that the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.</p>
12	<p>Construction Environmental Management Plan (CEMP) for Biodiversity</p> <p>No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) based on the measures outlined in the Ecology Impact Assessment by Tyler Grange, ref; 16582-R10b, dated 13 November 2024 has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:</p> <ol style="list-style-type: none"> a) Risk assessment of potentially damaging construction activities; b) Identification of ‘Biodiversity Protection Zones’; c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements); d) The location and timing of sensitive works to avoid harm to biodiversity features; e) The times during construction when specialist ecologists need to be present on site to oversee works; f) Responsible persons and lines of communication; g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; h) Use of protective fences, exclusion barriers and warning signs <p>The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.</p>
13	<p>Arboricultural Method Statement (AMS)</p> <p>No development shall take place until an Arboricultural Method Statement (AMS) (which includes tree protection measures), undertaken in accordance with</p>

	<p>BS:5837:2012 and all subsequent amendments and revisions has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Thereafter, all works on site shall be carried out in accordance with the approved AMS.</p> <p>Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing built environment and to comply with Policy C28 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.</p>
14	<p>Materials</p> <p>No development of the building and associated structures above slab level shall take place until samples including sample panels of the materials to be used in the construction of the external surfaces has been submitted and approved in writing by the Local Planning Authority.</p> <p>The development shall be constructed in accordance with the approved samples, which shall not be removed from site until the completion of the development.</p> <p>Reason – To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011–2031 Part 1 and Government guidance contained within the National Planning Policy Framework.</p>
15	<p>Biodiversity Enhancement Management Plan (BEMP) (pre-com)</p> <p>Wording TCB by Ecology.</p>
15	<p>Habitat Management and Maintenance Plan (pre-com)</p> <p>Wording TBC by Ecology.</p>
16	<p>Air Quality</p> <p>Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include damage cost calculations where applicable along with detailed mitigation measures proposed by the developer, in order to address any adverse impacts on local air quality. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.</p> <p>Awaiting comments for Environment Protection on acceptability of AQA before finalising the condition to either a pre-commencement or compliance condition.</p>
CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OCCUPATION	

<p>17</p>	<p>Framework Travel Plan</p> <p>Prior to the first occupation of the development hereby approved, a Framework Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.</p> <p>Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.</p>
<p>18</p>	<p>Travel Plans</p> <p>Prior to the first occupation of the development hereby approved, individual Travel Plans for the three units, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and reflecting the measures set out in the Framework Travel Plan, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.</p> <p>Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.</p>
<p>19</p>	<p>Thames Water</p> <p>No development shall be occupied until confirmation has been provided that all water network upgrades required to accommodate the additional demand to serve the development have been completed.</p> <p>Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.</p>
<p>20</p>	<p>Water Use</p> <p>Prior to the first occupation of each unit, details of the measures to be installed in that unit to minimise water consumption shall be submitted to and approved in writing by the local planning authority.</p> <p>The development shall be carried out in accordance with the approved details. The measures shall thereafter be retained in an operational condition.</p> <p>Reason - In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.</p>
<p>21</p>	<p>Boundary enclosures</p> <p>Prior to the occupation of any unit, full details of the enclosures along all boundaries and within The Site shall be submitted to and approved in writing by the Local Planning</p>

	<p>Authority. Such approved means of enclosure shall be erected prior to the first occupation of any unit.</p> <p>Reason: To ensure the satisfactory appearance of the completed development to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.</p>
22	<p>Lighting strategy</p> <p>Prior to the installation of any external lighting, a full lighting strategy to include illustration of proposed light spill and which adheres to best practice guidance in relation to ecological impact, 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 document.</p> <p>Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011- 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.</p>
23	<p>Energy Measures</p> <p>Prior to the construction of any building above slab level, details of the materials, specifications, location of the measures outlined in the submitted Energy Statement by ESC, dated 9th May 2022, to increase energy efficiency and thermal performance and reduce carbon emissions including the provision of renewable energy measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme of materials, specifications and measures and the provision of renewable energy measures shall be installed prior to the first occupation of the building.</p> <p>Reason: To encourage the use of renewable and low carbon energy in accordance with Policy ESD1-5 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.</p>
24	<p>Electric Vehicle Charging</p> <p>No development shall commence above slab level unless and until a scheme for electric vehicle infrastructure to serve the development has been submitted and approved in writing by the Local Planning Authority. The approved electrical vehicle charging infrastructure shall be provided in accordance with the approved details prior to the first occupation of the dwelling it serves.</p> <p>Reason - To comply with policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.</p>
25	<p>Scheme of Public Art</p> <p>Wording to TBC.</p>

CASE OFFICER: Carlos Chikwamba