

Case Officer: Katherine Daniels

Applicant: Thames Valley Police

Proposal: Construction of Thames Valley Police Technical Services Building (Use Class E) with associated access, car parking and hard and soft landscaping

Ward: Bicester West

Councillors: Councillor Broad, Councillor Sibley and Councillor Webster

Reason for Referral: Major development

Expiry Date: 9 February 2023

Committee Date: 9 February 2023

This application will be subject to a Committee Members Site Visit, which is due to take place on 9th February 2023

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

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located to the west of Bicester and sits within land that is allocated for a new zero-carbon, mixed-use development under Policy Bicester 1 of the Cherwell Local Plan 2011-2031 (CLP 2011-2031). The site is located to the southwest of Avonbury Business Park. Thames Valley Police (TVP) have the vehicle workshop and road policing traffic base to the north.
- 1.2. The application site adjoins the west of the existing Howes Lane. Beyond Howes Lane to the east there is an existing residential area. The boundary of the application site to the south and west of the site comprises of a hedgerow. The boundary to the north is currently open, part of the larger agricultural field. The boundary to the east is a mixture of fencing and a block of trees/vegetation. To the west and north beyond these features comprise land allocated within Policy Bicester 1.
- 1.3. The site is relatively level with a high point of approximately 86m AOD. The site is currently in use as an agricultural field (arable), and further to the north and southwest lies further agricultural fields.

2. CONSTRAINTS

- 2.1. The application site is within flood zone 1, there are no heritage assets on the site. The site has some potential to be contaminated. The site also has its natural constraints including the natural boundary features and the nearby vegetation.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application has been amended since its initial submission following concerns relating to the design of the plant building to the north. Amended plans have been

received. No further consultation was deemed necessary for these changes, as the changes were only minor.

- 3.2. The proposal is for a Technical Services Building (TSB) for Thames Valley Police. The building will result in an internal floor area of circa 4776 sqm. The building is proposed to be three storey and will measure 32m by 51m. The building is a flat-roofed design with a height of 15m. The building also proposes a roof lantern that extends the height to 16.5m. A chimney also is proposed that takes the overall height of the building to 19.5m.
- 3.3. The proposal also includes the construction of a plant building. This is proposed to be attached to the main building via a canopy. The plant building is proposed to be two storeys, and measures 10m by 46m. The overall height of the proposed building is 9.55m. A generator is proposed to be located to the north of the building. This has an external footprint of 40sqm. The proposed generator is to provide continuity of electrical supply to critical equipment in the case of a power failure.
- 3.4. The public entrance to the proposed TSB building will be to the southeast façade, with staff access points available. The proposed access is to be taken from the existing access off Howes Lane, which also currently serves the Traffic Base. The proposal includes parking facilities for a total of 120 car spaces, including 7 blue badge holders. Parking within the site also includes six short-stay/drop-off spaces for the operational requirements of the specialist building. The proposal also includes the provision of a sheltered bicycle rack for 18 bikes.
- 3.5. The proposal also includes the construction of a temporary construction access as part of the proposal. This is proposed to ensure there is no impact on the blue light services that need to enter/exit the Traffic Base.
- 3.6. The overall design of the building is modern, creating an exemplary building for TVP. The design is modern, with glazing and metal panelling. The building has been designed for BREEAM 'Excellent' level. The building aspires to be True Zero Carbon. The proposal makes use of PV panels on the roof. Electric vehicle charging points are also proposed.
- 3.7. Over 40% Green Infrastructure is proposed, as well as the retention of the majority of the trees and hedgerows along the site boundary (south and west). 10m buffers are also proposed in accordance with the SPD. There is a Biodiversity Net Gain proposed of 20.57% in Biodiversity Units and 62.01% gain in Hedgerow Units. Sustainable Drainage Systems are proposed as well as hard and soft landscaping.
- 3.8. The building is proposed to be used 24 hours a day.
- 3.9. The application includes a letter from the Police and Crime Commissioner outlining the requirement for a new TSB for TVP. The applicant has advised that, in the event that planning permission is granted, they anticipate development commencing by July 2023 with the first occupation in 2024.

4. RELEVANT PLANNING HISTORY

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

Application: 14/01968/F

Permitted

21 August 2019

Construction of new road from Middleton Stoney Road roundabout to join Lord's Lane, east of Purslane Drive, to include the construction of a new crossing under the existing railway line north of the existing Avonbury Business Park, a bus only link east of the railway line, a new road around Hawkwell Farm to join Bucknell Road, retention of part of Old Howes Lane and Lord's Lane to provide access to and from existing residential areas and Bucknell Road to the south and associated infrastructure.

Application: 14/01641/OUT

Outline Application - To provide up to 900 residential dwellings (Class C3), commercial floor space (Class A1-A5, B1 and B2), leisure facilities (Class D2), social and community facilities (Class D1), land to accommodate one energy centre and land to accommodate one new primary school (up to 2 FE) (Class D1), secondary school up to 8 FE (Class D1). Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure, ancillary engineering and other operations

There is other history relating to the wider NW Bicester site to the south, north and west.

5. PRE-APPLICATION DISCUSSIONS

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

Application:	Response Sent	19 August 2022
22/01449/PREAPP		

The forthcoming planning application will propose a new three-storey, circa 4776 internal sqm, TVP Forensic Investigation Unit building. The site has an area of approximately 1.178ha and the proposed development will be in Class E Use

5.2. Overall, the principle of development could be acceptable, provided there is justification to support a future planning application. Concerns were raised regarding the orientation of the building and its relationship with the new strategic link road. Further consideration would also have to be had on the existing highway network. A Transport Assessment would be required to demonstrate the development would not result in a severe impact on highway safety. It was recommended that further information is submitted to demonstrate the impact on residential amenity, such as lighting details and cross sections.

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records (amend as appropriate). The final date for comments was **15 November 2022**, although comments received after this date and before finalising this report have also been taken into account.

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

6.3. 48 objections have been received in respect to the application raising the following concerns:

- The scale of the building

- It is too large for the site, and too close to existing residential dwellings, should be sat back into the site further.
- The height of the building will overshadow the existing houses along Howes Lane
- The proposed development, by reason of the amount of glazing and external balconies will result in a loss of privacy
- The development will result in light pollution due to the amount of glazing on the building
- The proposal will have a detrimental impact on highway safety and congestion in the locality.
- The development should not occur until the strategic link road is in place

6.4. 5 letters of support have been received raising the following:

- The development will bring welcomed skilled jobs into Bicester
- The precedent in height has been established
- Consideration needs to be given to active modes of transport

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

7. **RESPONSE TO CONSULTATION**

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

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. **BICESTER TOWN COUNCIL: object** on the grounds that the height of the building will be overbearing to residents and is not in keeping with the locality. The proposal will also result in the loss of privacy for these residents. Concerns with the existing parking issues, and the proposed development would exacerbate the situation. The development should not commence until the realigned Howes Road is completed. Although the Town Council welcomes the high quality jobs coming into Bicester and the expansion of the site.

CONSULTEES

7.3. **OCC HIGHWAYS:** It is indicated that the response will be one of **no objection** subject to conditions and the entering into a S106 in respect of the access, fencing details, visibility spays, public transport, S278 agreement, Travel Plan. An update will be provided through the Written Updates if possible.

7.4. **OCC LEAD LOCAL FLOOD AUTHORITY: No objections** subject to the imposition of conditions to secure the Surface Water Drainage, and Sustainable Urban Drainage (SUDs) as built and maintenance details conditions.

7.5. **OCC ARCHAEOLOGY: No objections**

- 7.6. CDC ENVIRONMENTAL HEALTH: **No Objections** on noise or air quality. **No Comments** on contaminated land, odour or light
- 7.7. CDC LAND DRAINAGE: **No Objections**
- 7.8. CDC ECOLOGY: **No objections** subject to the imposition of a LEMP and CEMP conditions.
- 7.9. FIRE SERVICE: **No Comments**. Will be subject to a building regulations application.
- 7.10. CRIME PREVENTION DESIGN ADVISOR: **No objections**
- 7.11. ENVIRONMENT AGENCY: **Provided Guidance**. The environmental risks for the construction of the proposal relates to Groundwater protection.
- 7.12. THAMES WATER: **No Objections**
- 7.13. NATIONAL HIGHWAYS: **No Objections** subject to the imposition of condition relating to a Construction Traffic Management Plan.
- 7.14. CPRE: **Objects**. It should be part of the local plan, the proposal is not in accordance with SLE1. Located on agricultural land, out of scale with the locality, contamination issues, behind on housing targets, impact on residential uses, should be zero carbon. Issues with BNG, impact on Howes Lane.
- 7.15. BICESTER BUG: **Comments**. Welcomes the aspirations of the application to invest in additional local employment. However, is concerned with how visitors and staff can access the site via active travel modes.

8. RELEVANT PLANNING POLICY AND GUIDANCE

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

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

- PSD1: Presumption in Favour of Sustainable Development
- SLE1: Employment Development
- SLE4: Improved Transport and Connections
- BSC9: Public services and utilities
- ESD1: Mitigating and adapting to climate change
- ESD2: Energy Hierarchy and Allowable solutions
- ESD3: Sustainable construction
- ESD4: Decentralised Energy Systems
- ESD5: Renewable Energy
- ESD6: Sustainable flood risk management
- ESD7: Sustainable drainage systems

- ESD8: Water resources
- ESD10: Biodiversity and the natural environment
- ESD13: Local landscape protection and enhancement
- ESD15: Character of the built environment
- ESD17: Green Infrastructure
- Policy Bicester 1: North West Bicester Eco Town
- INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28: Layout, design and external appearance of new development
- C30: Design Control

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Eco Towns Supplement to PPS1
- North West Bicester SPD (February 2017)
- Conservation of Habitats and Species Regulations 2017

9. APPRAISAL

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

- Principle of development
- Transport
- Visual impact of the proposed development
- Residential amenity
- Ecology impact
- Drainage
- Eco Town Standards
- Other matters

Principle of Development

Policy Context

- 9.2. Policy SLE1 of the Cherwell Local Plan Part 1 (2011-2031) sets out that employment development on new sites allocated in the Plan will be the type of employment development specified within each site policy. The Plan has an urban focus to development, with allocated employment sites focussed predominantly at Banbury and Bicester.
- 9.3. The adopted Cherwell Local Plan 2011-2031 Part 1 includes strategic allocation Policy Bicester 1, which identifies land at NW Bicester for a new zero carbon mixed use development including 6,000 homes and a range of supporting infrastructure including employment land. The policy is comprehensive in its requirements and this, alongside the other relevant policies of the Development Plan are relevant to the consideration of this application. The application site forms part of the land allocated by Policy Bicester 1.
- 9.4. Policy Bicester 1 identifies that planning permission will only be granted for development at NW Bicester in accordance with a comprehensive masterplan for the whole area. A Masterplan has been produced for NW Bicester and this has been embedded within the North West Bicester SPD, adopted in February 2016.

The SPD amplifies the Local Plan policy and provides guidance on the interpretation of the Eco Towns PPS and standards for the NW Bicester site.

9.5. Policy Bicester 1 sets out various requirements for the site and for employment, it requires as follows:

- Land Area – a minimum of 10 ha, comprising business premises focused at Howes Lane and Middleton Stoney Road, employment space in the local centre hubs and as part of mixed use development;
- Jobs created –At least 3,000 jobs (approximately 1,000 jobs on B use class land on the site) within the plan period;
- Use classes – B1, with limited B2 and B8 uses;
- It is anticipated that the business park at the Southeast corner of the allocation will generate between 700 and 1,000 jobs in use classes B1, B2 and B8 early in the Plan period;
- A Carbon Management Plan shall be produced to support all applications for employment development
- An economic strategy to be produced to support the planning applications for eco-town proposals demonstrating how access to work will be achieved and to deliver a minimum of one employment opportunity per new dwelling that is easily reached by walking, cycling and/or public transport;
- Mixed use local centre hubs to include employment (B1(a), A1, A2, A3, A4, A5, C1, D1 and D2);
- New non-residential buildings will be BREEAM Very Good with the capability of achieving BREEAM Excellent.

9.6. The NW Bicester Masterplan incorporated within the SPD identifies the land subject of this application for residential uses. The Masterplan identifies an area for business/ commercial uses to the west of the Avonbury Business Park and the TVP existing building. The SPD does though include guidance on employment and it identifies that the creation of a mixed-use development would play a part in ensuring that unsustainable commuter trips are kept to a minimum.

9.7. The NPPF identifies that significant weight should be placed on the need to support economic growth and productivity. Planning policies and decisions should also help create the conditions in which businesses can invest, expand and adapt. Paragraph 82 sets out 4 criteria that planning policies should:

- a. set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;
- b. set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- c. seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and

- d. be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances

Assessment

- 9.8. It is clear that the masterplan identifies the area for residential use, therefore the proposal changes the master plan by proposing an alternative form of development on the land. The main issues in regard to the principle is the loss of the land for residential uses and secondly whether the additional commercial development can be justified.

Loss of land for residential purposes

- 9.9. The NPPF sets out that the Government's objective is to significantly boost the supply of housing. The loss of land for residential purposes would not assist in significantly boosting the supply of housing within the site allocation or the District as a whole.
- 9.10. The site area is 1.29ha, therefore it is likely that 40-45 dwellings could be accommodated on the application site which is a modest number in the context of the number of dwellings allocated at NW Bicester. It is acknowledged that other applications on the wider allocated site are proposing residential development at a higher level than anticipated. Whilst these are not at an advanced stage and therefore there is no certainty that residential numbers will be higher, it is, in the view of Officers, possible that this modest shortfall could be made up elsewhere on NW Bicester.
- 9.11. Nevertheless, the proposal would change the Masterplan, and the applicants have provided details on why this land is being brought forward rather than housing as was advised as being necessary during the pre-application process.
- 9.12. Thames Valley Police propose to establish a new Technical Services Building (TSB) to consolidate a number of constituent teams (currently based at Kidlington) in a single place. The existing locations for the services which will be located in the proposed new building are currently not appropriate for modern policing, and at present, there is a significant risk that operational requirements may be compromised. The development will bring in a new bespoke designed, modern and fit-for-purpose TSB for Thames Valley Police (TVP). The aim of TVP is to create a unique flagship development to deliver the best in practice operational functions and to be a leading example of how to deliver such facilities for other forces.
- 9.13. TVP seeks to further demonstrate its logic for requesting non-residential uses in this area which is due to land ownership. The site is owned by TVP (Gowell Farm) and the Bicester Traffic Base is located east of the application site so the proposal would be close to established TVP uses. The realignment of Howes Lanes is located to the west of the site and separates the site from the wider allocation.

Use of land for commercial purposes

- 9.14. The policy allows for other employment land outside the main area for employment which is at the south eastern corner of the site. This is identified by smaller areas within the Masterplan. Therefore, the commercial use will not appear out of context within its immediate character. In addition, it is suggested a higher density for residential development will be developed elsewhere on Gowell Farm and

Aldershot Farm area. There is a current planning application for this area of the site (14/01641/OUT) albeit this is not currently actively being pursued.

- 9.15. As highlighted in the paragraphs above, the site is next door to existing TVP operations. It is identified that existing Police buildings and their locations are not fit for purpose for the running of a modern police service, and new bespoke buildings are required. The application also falls within the use Class E, which Policy Bicester 1 allows for (i.e. the reference to use Class B1), therefore it will be in compliance with the use classes identified as being appropriate within NW Bicester.
- 9.16. The proposed building will result in a significant uplift of staff members in specialist roles, 25 Full Time Equivalent (FTE), and a further 40FTE across the force. It is also anticipated that training will be provided within the TSB. This supports the economic objectives of the Eco-Town, and will as a result provide a high-quality, well-designed employment space, and an increase in local spending.
- 9.17. Officers consider that the development will bring economic benefits to the locality, and that they should attract moderate weight within the planning balance. Although some of the economic benefits are not unique to this development alone.

Conclusion

- 9.18. Policy ESD1 seeks to mitigate the impact of development within the district on climate change by encouraging growth to be distributed to the most sustainable locations. Bicester is a sustainable location, and given the site is within the allocated land at NW Bicester (Eco Town) by Policy Bicester 1, which seeks a mixed-use development, it is acknowledged that this proposal would have some benefits in enabling job opportunities to be provided in close proximity to new residential uses and which would be accessible by sustainable modes of transport.
- 9.19. It is acknowledged that the site is identified for housing through the NW Bicester SPD and Policy Bicester 1 requires development proposals to be in accordance with the comprehensive masterplan for the whole area. There is therefore some conflict with Policy Bicester 1 in this respect.
- 9.20. However, the justification for a new bespoke, modern building for TVP is significant, as it would enable TVP to locate this use close to existing TVP uses. In addition, TVP has control over other parts of the allocation which will be pursued separately. There is no reason that the loss of the current land for housing (as identified by the NW Bicester SPD) cannot be compensated for elsewhere in the development as the number of dwellings that could be accommodated on the land is likely to be modest.
- 9.21. There are some benefits of providing additional employment uses and creating a state-of-the-art TSB for TVP and it would be within proximity to other similar employment uses in close proximity to the site. In addition, the proposal would create employment opportunities close to existing and proposed residential development. Overall, it is considered that the principle of employment uses in this vicinity could be acceptable in principle subject to a consideration of all other matters.

Transport

Policy Context

- 9.22. The NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Development proposals should promote sustainable transport, ensure safe and suitable access can be achieved and mitigate any significant impacts to an acceptable degree.
- 9.23. Policy SLE4 of the Cherwell Local Plan Part 1 2011-2031 also requires development to facilitate the use of sustainable transport and confirms that new development must mitigate offsite transport impacts. At NW Bicester, and as confirmed by Policy Bicester 1 and the NW Bicester SPD through a series of development principles, the achievement of modal shift, infrastructure to support sustainable transport and for development to facilitate the provision of new strategic infrastructure (including contributions towards it) are clear requirements

Assessment

- 9.24. Policy Bicester 1 identifies changes and improvements to Howes Lane and Lords Lane to facilitate the integration of new development with the town. The NW Bicester SPD identifies a re-aligned route for the A4095 (Howes Lane). The new strategic route will allow for improved walking and cycling opportunities, be designed into the development and alongside a new vehicular bridge which has already been constructed. This results in a solution to the heavily constrained Howes Lane/Bucknell Road/Lords Lane junction.
- 9.25. Oxfordshire County Council have historically and consistently advised the Council that the Howes Lane/Bucknell Road/Lords Lane junction does not have the capacity for development at NW Bicester past a certain level of development until the realignment of the A4095 has occurred and is operational.
- 9.26. Members are aware that at the end of 2021, recommendations were made to the Future Oxfordshire Partnership to re-allocate the Oxfordshire Growth Deal funding for the Howes Lane realignment elsewhere in Oxfordshire due to the concerns around the timing of the funding and the delivery of housing. The Cabinet at OCC endorsed the recommendation, and the funding has been allocated elsewhere.
- 9.27. At present, the Howes Lane realignment project is unfunded but this is being worked on. Officers are aware that other options for the route are being explored. The current proposal will need to protect the approved route for the strategic infrastructure.
- 9.28. OCC initially objected to the proposal, not due to the impact on the existing highway network, but due to the development encroaching upon the permitted road scheme for the realignment of the A4095, lack of infrastructure to ensure safe pedestrian and cycle access to the site, vehicle swept path analysis should be provided for the roundabout on the site, and the need to ensure that visibility splays at the site access are achievable when the road layout is changed.
- 9.29. OCC have not objected to the proposal based on traffic movements; this is due to the shift patterns TVP operate. These are outside the peak times, so the impact on the highway network is limited for this proposal. It is acknowledged that the realigned road does need to come forward, but it is not required before the implementation/operation of the proposed TVP building.
- 9.30. The applicants have provided additional information during the application process to overcome the concerns of OCC. At the time of writing the report the applicants have overcome all but one objection of OCC. The applicants have now proposed a

new puffin crossing to allow safe crossing by pedestrian and cycle users, as well as provided details of the swept path analysis for the roundabout and the visibility splays.

- 9.31. The outstanding objection is the development encroaches upon the permitted road scheme for the realignment of the A4095. The main issue is with the fencing and its location with the back of the footpath. Having liaised with OCC, and in order to overcome the concerns/objection it has been suggested that a suitably worded condition be imposed for further details of the exact location of the fence which it is hoped would overcome the concerns of OCC. OCC's final view on this and whether this could result in a response of no objection is awaited. This is considered to be a reasonable approach, ensuring this matter can be discussed during the condition submission and to ensure that this proposal would not preclude the permitted road scheme. It is acknowledged that the applicant would like to work with OCC to find a solution.
- 9.32. The Transport Assessment (TA) gives an overview on how the site is linked to the network through its existing footway network, and how in the future it will be further improved during the further development of NW Bicester as a whole. Concerns have been raised regarding the existing and proposed links, and how it not sufficient without further improvement. This further improvement is through the construction of a puffin crossing. This will improve the connections with Bicester as a whole.
- 9.33. A Travel Plan has also been prepared, which sets out the long-term management strategy to manage the number of trips generated to the site. This includes increasing awareness for staff and visitors about the advantages and potential for travel by more environmentally friendly modes and introducing a package of physical and management measures that facilitate other modes of transport other than the car. Compliance with the Travel Plan would be secured through a monitoring fee that is recommended to be included within a S106. This will be important to ensure that the site contributes to the ambitious modal shift targets for NW Bicester.
- 9.34. The proposal includes 20 electric car parking spaces, with further infrastructure in place for further electric charging points for the future. The proposal also includes the construction of 18 cycle spaces to encourage other modes of transport.
- 9.35. S106 obligations are requested for various mitigation measures, and these are detailed and explained further in Appendix 1 of this report.

Conclusion

- 9.36. It is appropriate to note that this proposal seeks to bring forward development in advance of the realignment of the A4095. This is due to the timings of the trip generations of the staff, as these will be outside peak times. It is considered that it would be appropriate to impose a condition restricting its use to TVP only. This will allow the Council to assess any change in circumstances. It is considered that the highway impact on the highway network would not be severe (as defined by paragraph 111 of the NPPF)
- 9.37. OCC has raised no objections to the proposal following the submission of amended details for the scheme apart from one outstanding issue which appears resolvable. Officers agree that the proposed measures would contribute towards a modal shift for transport in accordance with Policy Bicester 1. Planning conditions and obligations have been recommended to secure the requirements and to mitigate

the impact of the development as part of the Masterplan for the site. Officers consider that the scheme complies with the above-mentioned policies.

Visual impact of the proposed development

Policy Context

- 9.38. Policy ESD15 of the Cherwell Local Plan Part 1 2011-2031 sets out that development will be required to meet high design standards and to complement and enhance the character of its context. It has a number of criteria which are used to assess development proposals. Policy Bicester 1 includes a number of key site-specific design and place-shaping principles which, amongst others requires a high-quality exemplary development and design standards, a well-designed approach to the urban edge which relates development to its rural setting and to respect its landscape setting whilst incorporating open space (40% of the site) and landscaping. It also states that there is a need for careful design of the employment units to limit adverse visual impact and ensure compatibility with surrounding development. Policy ESD13 relates to Local Landscape Protection and Enhancement and requires that development respects and enhances local landscape character.
- 9.39. The NPPF emphasises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The importance of design has been heightened and there is a fundamental role to the planning process in creating high quality, beautiful and sustainable buildings and places.
- 9.40. The NW Bicester SPD includes various development principles, but it also emphasises that sustainability should be a key driver in the design of the eco-town and that proposed development should create a unique image for the eco-town. For the commercial uses at Middleton Stoney Road/ Howes Lane, the SPD confirms that buildings will be in a high-quality landscape setting with high quality offices providing research and development facilities. The height of development in this area of the site is also considered with the need for heights to be carefully considered to recognise the prominence of the location and which should relate to the residential neighbourhood nearby. Whilst this site is not within this area, the key requirements are considered to be necessary for this site also. The SPD explains that the diversion of the A4095, whilst resolving transport constraints, provides a strategic route for the town and creates an urban boulevard for the new development. It is intended to have the character of a bustling street and be a place of pedestrian activity and a focal point of the new community. It also emphasises the importance of continuity and enclosure which should define the street and public spaces and establish a clear hierarchy of streets.

Appraisal

- 9.41. The proposed building will be a standalone building, due to its relationship with the strategic link road, and the existing TVP buildings to the east. As proposed, the alignment of the building results in the front of the building addressing the existing Howes Lane with a service building and car parking to the rear. The overall design is intended to be an exemplar building within its setting. It is understood the height, not including the sky lanterns would be 15m, 16.5m with the roof lantern. The height of the chimney would be 19.5m. This would generally comply with the SPD which allows for taller buildings within local centres and along the strategic route of up to four stories but its impact on landscape, visual and residential receptors will need to be considered.

- 9.42. There was concern raised at the pre-app stage regarding the overall siting, given its relationship with the proposed strategic link road, (i.e. backing onto it). This will become the main route through the site, and it was advised that any development should respond to this, so a sense of place is created. It was suggested that the building is flipped, so that the plant building and car park is located adjacent to Howes Lane. However, given the need for the new building for TVP to come before that of the strategic link road, the applicants deemed it more appropriate for the building to face onto Howes Lane. This is also due to current security concerns/requirements of such a facility and how it would be used.
- 9.43. During the application process, the applicants have amended the plant building, to create a more attractive feature of the building. Although the scheme has been improved, there are still some concerns about the impact the proposal will have on the new strategic link road. The applicants have tried to create an active space to this element, so a positive street scene could be established as a result of the proposed development.
- 9.44. The applicants have also considered landscaping in order to create an attractive and active space. Given the security measures required for the scheme, there is a 2.7m wire mesh fence around the perimeter proposed. Although this could look stark and unappealing within the street scene, there is landscaping to mitigate the impact upon the wider locality to soften its impact. There will be some negative impacts from the proposed development as a result of the inclusion of the security meshing that is required.
- 9.45. With respect to the design of the building itself, the bulk of the building is broken up by different materials, with large areas of glazing and this gives the building a contemporary appearance that is supported. This softens the dominance of the building within its setting and its relationship with other buildings nearby. The material palette will be a key element, and taking into account what is proposed, it is considered the proposal will not result in a dominant feature within the landscape. The current landscape is changing given the site allocation for 6000 dwellings and associated development in accordance with Policy Bicester 1. The proposed development could look stark with its immediate setting at the beginning, but given the allocation it is considered that over time, it will sit comfortably in that changing context.
- 9.46. The application includes an extensive landscaping proposal that aims to soften the overall impact on the proposed development and create an external space that complements the exemplar building and creates an attractive place for the members of staff. The proposal seeks to retain 40% Green Infrastructure across the site. Although some of the hedgerow will be removed for visibility purposes, the proposal seeks to provide 41% which is above the minimum requirement for NW Bicester.

Conclusion

- 9.47. The application will result in some negative impact on the character and appearance of the locality in the future as a result of its orientation with the new strategic link road. The applicants have tried to mitigate this by amending the overall design of the plant building as much as possible, and the inclusion of additional landscaping to soften the overall impact.
- 9.48. The majority of the proposed building will be 15m in height, with a maximum height of 19.5m for one particular feature, and it will not be out of keeping with other buildings on NW Bicester at the south of the site and those that could be achieved alongside the strategic road. The NW Bicester SPD does allow for taller buildings.

Although it will be seen as a large building initially, when the other proposed development on the allocated site is constructed, it will not be seen in isolation, but as part of the wider development.

- 9.49. Although there will be some harmful impacts due to the nature of the proposed building, the design of the main building will create an exemplar building for NW Bicester and TVP. Overall, the design and impact on the character and appearance of the locality are considered to be acceptable.

Residential Impact

Policy Context

- 9.50. Policy ESD 15 of the Cherwell Local Plan Part 1 (2011-2031) sets out the criteria for development to consider the amenity of both existing and future development. This includes privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. It also seeks to limit the impact of light pollution from artificial light on local amenities. The NPPF also requires that planning policies and decisions should ensure development creates places that are safe, inclusive, and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users.

Assessment

- 9.51. The proposal is for the construction of commercial development for the purposes of TVP. Concern has been raised regarding the overall dominance of the building on the nearby residential dwellings to the east which back onto Howes Lane, as well as overlooking to neighbouring properties, given its relationship.
- 9.52. The neighbouring properties are located to the east/south of the application site and are single storey in height. The new TSB is proposed to be 15m in height, extending to 16.5m to the roof lights. This is a considerable height difference between the commercial element and the residential properties, and if the development was adjoining these properties would cause a significant impact on the residential amenities. However the proposed building is sited 60m away from the nearest residential property, somewhat back from the boundary with Howes Lane and with landscape proposals between. Therefore the impact on the nearby residential dwellings will be greatly reduced. It is considered the distance between the existing dwellings and the proposed building alongside the landscaping proposed is acceptable and will not result in a detrimental impact on the nearby residential properties through being overbearing.
- 9.53. Concerns have also been raised regarding the impact on the neighbouring properties through overlooking. There are concerns the balconies on the first and second floor will overlook the residential dwellings and associated amenity space. The proposed balcony and windows will be 60m away from the nearest residential property. Although these are at a higher level than the nearby residential properties, and there may be a perception of loss of privacy due to the height, the intervening distance between the proposed building and the residential dwellings is considered to be sufficient not to cause a detrimental impact on the amenity of neighbouring properties through overlooking.
- 9.54. Environmental Health have commented on the application, and they do not have an objection with respect to noise or disturbance, to the nearby residents.

Conclusion

- 9.55. It is acknowledged that the proposed scheme is not for residential development as envisaged within the Masterplan. The building has been sited, so it is 60m away from the nearby residents. Therefore, it is considered that the impact upon residential amenity of nearby residential properties is acceptable, in accordance with Policy ESD15.

Ecology Impact

Policy Context

- 9.56. Policy ESD10 of the CLP Part 1 2011-2031 requires the protection and enhancement of biodiversity and the natural environment and this includes the protection of trees and hedgerows, an assessment of the potential to cause harm to protected species or habitats, and to achieve a net gain for biodiversity. Policy Bicester 1 also refers to the need to achieve a net gain for biodiversity. Biodiversity is also a development principle important in meeting the eco-town standards to achieve a net gain and to mitigate and enhance.
- 9.57. There are also Legislative requirements set out in The Conservation of Habitats and Species Regulations 2017 which must be taken into account in considering development proposals where habitats or species might be encountered.
- 9.58. Paragraph 174 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; 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.

Assessment

- 9.59. The applicants have provided an Ecological Assessment Report, as well as a Biodiversity Net Gain Assessment. The conclusion is that a Biodiversity Net Gain (BNG) of over 10% is achievable. It is proposed that there will be a gain of 20.57% in Biodiversity Units and 62.01% gain in Hedgerow Units.
- 9.60. The Ecological Officer has considered the findings of both the ecological assessment report as well as the Biodiversity Net Gain Assessment. It is acknowledged that there are few ecological issues on site in terms of protected and priority species and habitats.
- 9.61. The ecological assessment concludes that the impact on any ecological constraints during construction can be dealt with by way of a planning condition (CEMP), and the ecologist considers that this would be the appropriate route for protection of species and retained vegetation. Although it should be noted that a revised ecological assessment should occur, if development commences after two years of the date of the assessment (September 2022).
- 9.62. In regard to the BNG, although this could be achieved, it will also need to be subject to management, use and the quality of the created habitats. A full LEMP with a management and monitoring scheme should be conditioned to ensure these targets are met. The LEMP should also include biodiversity enhancements, including swift boxes, log piles etc.
- 9.63. There are concerns regarding the emissions of ammonia gases on site, and that these pollutants can have impacts on sensitive habitats in the vicinity, such as Bignell Parkland and woodland belts. The applicant is content that a suitably

worded condition can be imposed to provide certainty about the levels and potential impacts of the emissions along with a monitoring plan.

- 9.64. Lighting also has the potential to result in a negative impact on protected species, and it is recommended that a condition is imposed to ensure the proposed development does not have a negative impact. This would also be important from a residential amenity perspective too.

Conclusion

- 9.65. The Council's Ecologist is satisfied that subject to the imposition of planning conditions to secure mitigation and improvements, that the development would be acceptable in respect to the impact upon any habitats or protected species and that they would be safeguarded. The Council's duty under the Conservation of Habitats and Species Regulations 2017 is therefore met and has been discharged.
- 9.66. A net biodiversity gain has been demonstrated as being achievable, although the Council's Ecologist does consider that how this is achieved must be considered via the Landscape Ecology Management Plan to ensure that a net gain can be achieved. The contribution towards offsite mitigation towards farmland birds is also relevant in this respect
- 9.67. On this basis, the proposal is considered to be acceptable in ecological terms and compliance would be possible with the above planning policies.

Drainage and Flood Risk

Policy Context

- 9.68. The NPPF states at paragraph 167 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.* Paragraph 169 also requires that *major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.*
- 9.69. Policy Bicester 1 of the CLP 2011-2031 Part 1 requires that proposals should include a flood risk assessment, that development should not be provided in areas of flood risk and sustainable urban drainage should be provided in accordance with ESD7 (the policy acknowledges that SUDs would be part of the Green Infrastructure).
- 9.70. 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

- 9.71. The applicants have submitted a Flood Risk Assessment to accompany the application. The FRA finds the site is located within Flood Zone 1, which is at limited risk of flooding.
- 9.72. The proposed flood risk mitigation strategy for the proposed development includes threshold levels of any sensitive structure and floor levels of any buildings will be set above 150mm, and a Sustainable Urban Drainage System (SuDS) will be

incorporated within the site through basins, swales, and geo-cellular crates. This will control discharge at greenfield rates to an existing surface water sewer present on site.

- 9.73. Following the submission of further information, the Lead Local Flood Authority (LLFA) has no objection to the proposed development, provided that a surface water drainage scheme is submitted and approved in writing by the Local Planning Authority. This is required to be submitted prior to commencement of the development. Also prior to the first occupation details of the construction of the SuDS and maintenance details shall be submitted to the LPA.
- 9.74. Thames Water also offers no objection to the proposed development, however, recommends an informative on any approval. The Cherwell District Council Land Drainage Engineer has commented on the application. They are generally satisfied with the proposed development. Further consideration should be given to Surface Water Drainage, however, this is proposed to be controlled by way of a planning condition.

Conclusion

- 9.75. Given the comments from the LLFA, Thames Water, and the Council's Land Drainage Engineer it is anticipated that a surface water drainage scheme will be achievable, and the above-mentioned Policies would be complied with.

Eco Town Standards

- 9.76. The Eco Town Standards which apply to the site are incorporated into Policy Bicester 1 and amplified by the NW Bicester SPD. These include several standards which are at a higher level than other sites to ensure the provision of a sustainable development that responds to the impact of climate change and that is built to true zero carbon standards (defined as 'over a year, the net carbon dioxide emissions from all energy use within the buildings on the development as a whole are zero or below'). Policies ESD1-5 of the Cherwell Local Plan Part 1 2011-2031 are complementary and apply District wide to ensure sustainable development.

True Zero Carbon and Climate Change Adaption

- 9.77. The application is accompanied by an energy statement and low and zero-carbon feasibility study. The building is anticipated to be an exemplar building for the police force as a whole, and it will be built to BREEAM Excellent standards. Policy Bicester 1 states that development needs to achieve True Zero Carbon, with commercial development achieving BREEAM Very Good with the capability of achieving BREEAM excellent. The scheme accords with the BREEAM requirement; however, the proposal does not currently achieve True Zero Carbon. This is due to the nature of the energy use of the building. The applicants although cannot achieve True Zero Carbon on the site, TVP has environmentally sustainable related policies within an Environmental Sustainability Strategy. The applicants also state that they are not able to offset its carbon due to the age of the existing building stock. However, in the future they aim to construct new buildings to achieve zero carbon, including other land within its ownership on NW Bicester.
- 9.78. Policy Bicester 1 seeks to ensure that all developments are True Zero Carbon, to which the proposed building does not fully comply currently. For TVP to achieve True Zero Carbon, there will need to be an offset requirement, however, this would be limited given the state of the existing building stock. The proposed building is close to True zero carbon and would achieve BREEAM Excellent level which could be secured by condition. However, although it is close to True Zero Carbon, it is

considered further consideration is required to determine how close the scheme is to achieving the true zero carbon requirement and how this could be mitigated for if not (to achieve the requirement as far as possible). As part of the Section 106 process, it is considered that a mitigation scheme to achieve as close to true zero carbon should be entered into.

- 9.79. It is acknowledged that the proposal is for a public building, and further mitigation could have an impact upon public funding, however as a public building it also should seek to achieve the policy further adding to the credentials for the exemplar building and due to its location on a site allocated for zero carbon development.

Healthy Lifestyles

- 9.80. The NW Bicester SPD (Development Principle 7 – Healthy Lifestyles) requires health and wellbeing to be considered in the design proposals. The proposal seeks to amalgamate the existing services within TVP into one location. At present, the employer facilities are not currently fit for purpose, and the health and wellbeing of existing employees are at risk. The new exemplar building seeks to create a space that encourages healthy lifestyles. This includes private and networking space, both internally and externally through the proposed landscaping.
- 9.81. The applicants have also engaged with the LHA to provide improved connections to the site to encourage staff and visitors to access the site by sustainable modes. This will allow for the business to make healthy lifestyle choices. The Travel Plan will also help to achieve this, which is proposed to be monitored by the way of a S106 and a payment to OCC to monitor it.

Local Services

- 9.82. The NW Bicester SPD (Development Principle 8 – Local Services), requires facilities to meet the needs of local residents and employees with a range of services located in accessible locations to homes and services.
- 9.83. The masterplan approach has allowed the distribution of local services to be planned taking into account accessibility to housing. The facilities are located to the east and south of the site according to the Masterplan, so would be accessible to employees via sustainable modes.

Water

- 9.84. The NW Bicester SPD (Development Principle 10 – Water) requires development to be ambitious in terms of water efficiency. Bicester is located in an area that is already experiencing water stress, and this is one of the key known future climate impacts for Bicester.
- 9.85. The applicants have provided an 'Energy Statement' which outlines how the development will reduce water consumption. The methods include low water consumption taps, low water consumption showers, low flush dual capacity toilets, urinals to be fitted with presence detectors, sanitary supply shut off, water meters with pulse output, leak detection system, and automatic thermostat control. Overall, the application demonstrates how the proposed development will achieve reductions in water consumption.

Waste

- 9.86. The NW Bicester SPD (Development Principle 12 – Waste) seeks to ensure planning applications include a sustainable waste and resources plan, covering

commercial waste. This needs to demonstrate targets for residual waste, recycling, and landfill diversion. This should ensure that zero waste is sent to landfill from construction, demolition, and excavation.

- 9.87. The applicants are willing to provide a Sustainable Waste and Resources Plan as the detailed design works progresses, and a contractor is appointed. This can be controlled by way of a planning condition. The applicants acknowledge the requirement to ensure zero waste and accord with this aspect and this will be demonstrated at the condition stage.

Community and Governance

- 9.88. The SPD explains that Community and Governance is a key development principle that would contribute towards the creation of a balanced and mixed community and that an approach is required to ensure the development retains its integrity, continues to meet eco-town standards, and ensures that appropriate Governance structures are in place to achieve this. This is more relevant to proposals for residential development and is therefore not considered further with respect to this commercial proposal.

Cultural Wellbeing

- 9.89. Policy Bicester 1 refers to the provision of cultural wellbeing to enhance the quality of the place, create legibility and identity. The NW Bicester SPD (Development Principle 14 – Cultural Wellbeing), alongside appendix V sets out the process whereby developers would be requested to submit a cultural wellbeing statement to embed cultural enhancements through their scheme.
- 9.90. Although there is not a cultural wellbeing statement submitted as part of the application, it is mentioned within the planning statement. The proposal does not include public cultural wellbeing within the site, given its sensitive nature. However, the internal spaces within the site is designed to help contribute to the cultural wellbeing of the staff.
- 9.91. In addition, the exemplar proposal will contribute to the overall development creating a vibrant place. Although there is some conflict with the overall aim of the proposed development, it is proposed to create an exemplar building that promotes cultural wellbeing for the locality.

Other Matters

Environmental Considerations

- 9.92. With respect to environmental considerations, 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 that 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.
- 9.93. The NPPF includes requirements around conserving and enhancing the Natural Environment. Paragraph 174 identifies that decisions should prevent new and

existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 183 relates to ground conditions. Decisions should ensure a site is suitable for its proposed use, taking into account existing ground conditions. Paragraph 185 relates to the impact of developments on noise. Developments should mitigate and reduce to a minimum potential adverse impact.

- 9.94. The Environmental Health Officer has considered the application and its accompanying supporting documents. There are no comments on contamination, odour or light. In regard to noise and air quality, the Environmental Health Officer has reviewed the documents and is satisfied that the development would not have an unreasonable impact on noise or air quality provided the recommendations of the reports are followed.
- 9.95. The Noise Impact Assessment (NIA) indicates the noise from the plant will be 53 dB during Daytime hours (0700 to 2300) and 41dB at night time (2300-0700). These can be controlled by way of planning conditions, to ensure the noise levels do not exceed these as stated within the NIA.
- 9.96. The Air Quality Assessment (AQA) recommends that there are mitigation measures during the construction process. Although there will be an increase in traffic, this is considered to be not significant in air quality terms and does not require any mitigation. The mitigation measures proposed include headings under the following: communication, management, and earthworks. The measures can be controlled by way of a planning condition to ensure the mitigation is carried out.
- 9.97. Overall provided suitably worded conditions are imposed to securing noise levels and a construction management plan, the proposed development is unlikely to result in undue harm to the environment.
- 9.98. Policy ESD10 of the CLP 2011-2031 aims to secure the protection and enhancement of biodiversity and the natural environment. The protection of trees will be encouraged with the aim to increase the number of trees within the district. The applicants have submitted a Clearance and Tree Protection Plan. This indicates some of the hedgerow to the front of the site will need to be removed to allow for the visibility splays for the proposed development. The remainder will be retained and protected. The Council's Arboricultural Officer has not provided advice on this proposal, however the scheme as submitted is considered to be acceptable and the protection plan will be secured by condition.
- 9.99. The OCC Archaeologist has commented on this application and has confirmed that the site has been subjected to an archaeological evaluation and the proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. Therefore, there are no archaeological constraints to the scheme.

Conditions and S106

- 9.100. 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, education, health, social and community facilities (as relevant) 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

9.101. The table at Appendix 1 sets out the required Heads of Terms and the justification for those requests.

9.102. Planning Conditions should only be imposed where they are necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects (para 56). Tweaks may be required to the conditions to reflect queries that have been raised and following further comments/amendments during the S106 negotiation stage.

10. PLANNING BALANCE AND CONCLUSION

10.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises a number of relevant Policies and they are considered up to date for the purpose of considering this proposal.

10.2. The NPPF is a material consideration. This confirms that there is a presumption in favour of sustainable development and that economic, social, and environmental objectives should be sought mutually. The presumption in favour of sustainable development is set out at paragraph 11, which confirms that for decision taking, development proposals that accord with an up-to-date development plan should be approved without delay.

10.3. The 'Principle' section of this report states that the proposal creates some conflict with Policy Bicester 1, as it relates to commercial development in an area that is identified as residential use within the Masterplan for NW Bicester. Policy Bicester 1 requires planning permission to be granted in accordance with the Masterplan. This carries some weight against the development.

10.4. However, it is necessary to consider the merits of the scheme, given that it would result in the loss of residential land within the NW Bicester allocation. The applicant has demonstrated that there is a need within the force for the TSB, as currently the current accommodation in varying locations is not fit for the purpose of modern policing or the well-being of existing staff members. TVP currently owns the site, therefore TVP would also not be required to purchase land for a new building, and it does not have sufficient land elsewhere within its portfolio. In addition, the loss of the housing numbers, which are modest can, in all likelihood, be accommodated elsewhere within the allocation. This has been confirmed by TVP, as their land ownership extends further to the north (and south). This is a material consideration carrying weight in favour of the development.

10.5. Policy Bicester 1 does not limit the amount of commercial floorspace within the development, the conflict only arises because the Masterplan identifies the application site as residential. The proposal will contribute to the provision of additional skilled job opportunities that the policy seeks. This also contributes to the overall sustainability of NW Bicester. The scheme will provide opportunities within proximity to planned residential development. The scheme seeks to be constructed to BREEAM 'Excellent' standard. The NPPF also supports economic development, to enable businesses to invest, expand and adapt to respond to changes in circumstances.

- 10.6. The report demonstrates that the proposal would not be harmful to the landscape or the character of the locality including, on balance when the strategic road is realigned and the development is viewed mainly from that aspect. The development could also be accommodated on the site without having an undue harm to residential amenity of nearby properties. The proposal seeks to provide 40% Green Infrastructure and could achieve a Biodiversity Net Gain of over 10%. The proposal generally seeks to meet the eco-town standards, although will not achieve True Zero Carbon requirement on site, given the overall energy demands of the building. TVP have explained that it would be hard for the building to achieve true zero carbon on the site or within its existing building stock. It is acknowledged that this element is not truly compliant with Policy Bicester 1 and this carries weight against the development, however, mitigation measures can be provided through a S106 obligation relating to a sustainability plan for the building for its future.
- 10.7. The proposal provides appropriately for sustainable transport modes by providing improved walking and cycling infrastructure. The proposal will not preclude the delivery of the Strategic Link Road. OCC have also confirmed, given the shift patterns of TVP, a severe impact on the road network would not occur as a result of the proposed development. The proposed development should therefore not be restricted on transport grounds, and the development could be operated prior to the delivery of the new strategic link road.
- 10.8. On balance, Officers consider that the limited harm from the proposed development, and the ability of the scheme to meet most of the required standards on site, and the justification provided to support the applicants case for a bespoke TSB, means that the principle of development is acceptable in this case. The proposal is considered to accord with most of the above-mentioned policies except where specified. The weight to be given to any conflict with Policy, alongside other material considerations is also set out. The application therefore is recommended for approval.
- 10.9. Officers are satisfied, subject to the imposition of conditions, that the development, as supported by its accompanying documents would not cause serious harm to the environment, and any environmental impacts from the proposed development can appropriately mitigated for.

11. 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 INFRASTRUCTURE IDENTIFIED IN APPENDIX 1.**

CONDITIONS

Time Limit and General Implementation Conditions

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

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

Compliance with Plans

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

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

3. The development shall be used as a Technical Services Building associated with Thames Valley Police only, and shall not be used for any other purposes whatsoever

Reason - In order to retain planning control over the use of the site and to ensure that the impacts of the development are no greater than those considered under this application in accordance with Policies SLE1 and Bicester 1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

4. All site clearance (including the removal of any vegetation or works to hedgerows) shall be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive unless the Local Planning Authority has confirmed in writing that such works can proceed, based on submission of a survey (no more than 48hrs before works commence) undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site as required.

Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat to comply with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

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

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. The level of noise emitted from the site shall not exceed (A) 41 dB between 2300 and 0700 and (A) 53 dB at any other time, as measured 1m from the nearest noise-sensitive receptor as shown on figure 5-1 of the Noise Impact Assessment (A is noise level expressed as Laeq over a time period T (eg 1 hour day, or 5 mins night) and T is time of day).

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Saved Policy ENV1 of the Cherwell Local

Plan 1996

7. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no gate, fence, wall or other means of enclosure shall be erected, constructed or placed other than the enclosures shown on the approved plans or to be agreed by condition 23, without the prior express planning permission of the Local Planning Authority.

Reason - In order to retain the open character of the development and in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

8. 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 on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: 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 Policy 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

Pre-Commencement Conditions

9. No development shall commence unless and until full details of the means of construction access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details prior to the commencement of construction on site and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 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

10. Where the submitted Ecological Assessment Report is more than two years old at the date of the commencement of the development, no development shall commence, until an updated Ecological Assessment Report has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason - In the interests of biodiversity and to comply with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 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

11. No development shall commence until a Construction Method Statement, incorporating a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority. The CTMP will need to incorporate the following in detail and throughout development the approved plan must be adhered to:

- a) The CTMP must be appropriately titled, include the site and planning permission number.
- b) Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- c) Details of and approval of any road closures needed during construction.
- d) Details of and approval of any traffic management needed during construction.
- e) Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- f) Measures to control the emission of dust and dirt during construction as detailed in paragraph 6.1.2 of the Air Quality Management Plan;
- g) Details of appropriate signing to accord with standards/requirements, for pedestrians during construction works, including any footpath diversions.
- h) The erection and maintenance of security hoarding / scaffolding if required.
- i) A regime to inspect and maintain all signing, barriers etc.
- j) Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- k) The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- l) No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will park, and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- m) Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- n) Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- o) Any temporary access arrangements to be agreed with and approved by Highways Depot.
- p) Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.
- q) Delivery, demolition and construction working hours;

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme

12. No development shall commence until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is first occupied. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the

“Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;

- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

Reason - To ensure that sufficient capacity is made available to accommodate the new development and in order to avoid adverse environmental impact upon the community in accordance with 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.

14. No development shall take place on any phase (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:

- a) Arrangements for a site walkover survey undertaken by a suitably qualified Ecologist to ensure that no protected species, which could be harmed by the development have moved onto the site since the previous surveys were carried out. If any protected species are found, details of mitigation measures to prevent their harm shall be required to be submitted;
- b) Risk assessment of potentially damaging construction activities;
- c) Identification of ‘Biodiversity Protection Zones’;
- d) 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);
- e) The location and timing of sensitive works to avoid harm to biodiversity features;
- f) The times during construction when specialist ecologists need to be present on site to oversee works;
- g) Responsible persons and lines of communication;
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- i) Best practice with regard to wildlife including use of protective fences, exclusion barriers and warning signs

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.

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.

15. No development shall take place until the existing tree(s) to be retained have been protected in accordance with the approved Tree Protection Plan 1170 Atk Xx Xx Dr L 481002 P02 (Clearance and Tree Protection Plan) received 23rd September 2022 unless otherwise agreed in writing by the Local Planning Authority. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

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 landscape and to comply with Policy 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. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme

16. No development shall take place until a Sustainable Waste and Resources Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason – To support the creation of a low carbon community to achieve the requirements of Policies ESD1 and Bicester 1 of the CLP 2011-2031. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

17. Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be managed in accordance with the approved details set out in the LEMP.

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.

18. No development shall commence until a scheme to demonstrate that the development will achieve BREEAM 'Excellent' shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out a timescale for the provision of evidence, including certificates at design stage and post construction stages. Evidence of the achievement of BREEAM Excellent shall be provided in accordance with the approved scheme.

Reason: To support the creation of a low carbon community to achieve the requirements of Policies ESD1 of the Cherwell Local Plan Part 1 2011-2031.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE

SPECIFIC CONSTRUCTION WORKS TAKE PLACE

19. Prior to their installation on any building, full details of the solar PV shall be submitted to and approved in writing by the Local Planning Authority. The solar PV shall be installed prior to first occupation and retained and maintained in working order thereafter.

Reason: To support the delivery of renewable and low carbon energy in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

20. A schedule of materials and finishes to be used in the external walls and roof(s) of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. The development shall thereafter be completed in accordance with the approved details.

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, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

21. Prior to the commencement of the parking areas, specification details (including construction, layout, surfacing, and drainage) of the turning area and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, have been submitted to and approved in writing by the Local Planning Authority. The turning area and car parking spaces shall be constructed in accordance with the approved details prior to the first occupation of the development and shall be retained as such for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

22. Prior to their installation on any building hereby approved, full details of any mechanical ventilation or extraction equipment (if applicable and including any air source heat pumps and their associated condenser units) shall be submitted to and approved by the Local Planning Authority. Thereafter the mechanical ventilation shall be installed, brought into use, and retained in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Saved Policy ENV1 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

23. Notwithstanding the submitted details, prior to the first installation of any fencing, details of the fencing and its location shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason – To ensure that the fencing is appropriate to the appearance of the locality, to ensure the satisfactory appearance of the completed development and to ensure that the proposed fencing does not restrict the land required for

the future delivery of the realignment of Howes Lane and to ensure the development does not have a detrimental impact on the highway network in accordance with Policy 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.

PRIOR TO OCCUPATION

24. Prior to the first occupation details of improvements to provide safe cycling and pedestrian access to the site along Howes Lane, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The improvements shall be constructed in strict accordance with the approved details prior to first occupation.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

25. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

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

26. Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the unit they serve, and retained as such thereafter.

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 modes in accordance with paragraph 110(e) of the National Planning Policy Framework

27. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

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

28. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Reason - To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework.

29. Details of the external lighting, and security lighting including the design, position, orientation, and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason - To protect the amenities of nearby residents and in the interest of biodiversity and to comply with Policies ESD10 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996

30. Details of the levels of ammonia emissions from the operation of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the building.

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

31. Details of a Management Plan for the control of ammonia emissions emanating from the building shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation. The details shall include any action requires where emissions exceed those as set out in condition 30.

32. Prior to the first occupation of the building, details of the measures to be installed in the building to minimise water consumption shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. The measures shall thereafter be retained in an operational condition.

Reason: To support the delivery of renewable and low carbon energy in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework

33. No employment building shall be occupied until it has been provided with service connections capable of supporting the provision of high-speed broadband from the building to the nearest broadband service connection outside The Site

Reason: To facilitate information delivery in accordance with Government guidance contained within the National Planning Policy Framework.

34. The building hereby approved shall be provided with real time energy and

travel information prior to its first occupation. Details of the provision the building shall be submitted to the Local Planning Authority and agreed in writing prior to the commencement of construction of the building above slab level. The devices shall thereafter be retained in operational condition.

Reason: To support the delivery of modal shift towards sustainable modes and create high quality, inclusive, sustainable development in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

Informatives

1. Any alterations to the Public highway will be at the applicant's expense and to Oxfordshire County Council's standards and specifications. Written permission must be gained from Oxfordshire County Council's Streetworks and Licensing Team (0345 310 1111). Works required to be carried out within the public highway, shall be undertaken within the context of a legal Agreement (such as Section 278/38 Agreements) between the applicant and the Highway Authority.
2. Attention is drawn to a Legal Agreement related to this development dated XXX which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.
3. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).
4. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
5. The Environment Agency's response of the 06 October 2022 includes links to various publications relating to the duty to ensure that business activities do not cause or allow pollution. The applicant's attention is drawn to this.
6. The applicant is reminded that the Environment Agency have a regulatory role in issuing legally required consents, permits or licences for various activities. The applicant should ensure that any necessary consent, permit or licence is obtained from the Environment Agency should that be required.

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

Planning obligation			Regulation 122 Assessment
Detail	Amounts (all to be Index linked)	Trigger points	
Contribution towards Public Art	£8757.50 (£1.83 per sqm) index linked from 2Q17	TBC likely before first occupation	<p>Necessary – The NW Bicester SPD includes cultural wellbeing as one of its key development principles. The payment of a public art contribution would ensure that the development contributes to the creation of a culturally vibrant place at NW Bicester.</p> <p>Directly related – The proposal is part of the NW Bicester development. The contribution would be specified to be used towards the provision of public art within the NW Bicester development and therefore it would be directly related to the development.</p> <p>Fairly and reasonably related in scale and kind –</p> <p>The contribution is based upon the same rate per sqm of commercial development as was used in a S106 agreement for commercial uses to the south of the site which is considered to be fairly and reasonably related in scale and kind to the scale of development proposed.</p>
Biodiversity offset contribution to mitigate the impacts upon farmland birds	£1333.04 per hectare index linked	Prior to the first occupation of the	<p>Necessary – The Masterplan Strategic Environmental Report identified that it would not be possible to compensate for the loss of habitats used by farmland</p>

	2Q17	development	<p>birds as a consequence of the whole development at NW Bicester. It identified that offsite compensation to enhance the value of land for farmland birds would be necessary to mitigate for the impacts. As the development site is part of NW Bicester it is necessary that a contribution is made to account for its proportionate impact upon farmland birds.</p> <p>Directly related – The proposed contribution is directly related to the impacts on farmland birds arising from the development.</p> <p>Fairly and reasonably related in scale and kind – When it was identified that farmland birds could not be mitigated for on site as a consequence of the development, work was undertaken to identify that 200ha of farmland would need to be enhanced for a period of 25 years. An annual cost was proposed and then an additional 15% sum added for staff resource to implement and manage the scheme. This was multiplied by 25 to give a total sum for a 200ha area of land. The contribution was divided by the masterplan site area minus the Exemplar site to give a per hectare figure. This contribution will then be multiplied by the site area in this case of 1.3ha to give the total amount sought. The contribution sought is therefore fairly and reasonably related in scale and kind to the development.</p>
--	------	-------------	--

<p>Requirement to Monitor the development through the construction and post occupancy</p>	<p>NIL</p>	<p>The requirement to agree a scheme prior to implementation and then ongoing timescales to monitor the development</p>	<p>Necessary – In order to ensure that the development is meeting the high standards sought across NW Bicester, to learn from the site and to allow improvements to future phases of the development, long term monitoring of the Eco-Town Standards is required. As such, it is necessary to secure a scheme of monitoring from this site.</p> <p>Directly related – The monitoring is directly related to the development itself.</p> <p>Fairly and reasonably related in scale and kind – The monitoring to be undertaken would be proportionate to the development itself and therefore is fairly and reasonably related in scale and kind to the development.</p>
<p>Training and Employment Plan to secure 9 apprenticeship starts</p>	<p>NIL</p>	<p>TEP to be submitted for approval prior to the implementation of the development.</p>	<p>Necessary – Policy Bicester 1 states that an economic strategy is to be produced to support planning applications demonstrating how access to work will be achieved. The CDC Planning Obligations SPD sets out the type of development and the thresholds on development that will trigger the requirement for the provision of a stated number of apprenticeships as part of an Employment and Skills Training Plan. In order for the development to contribute to this, it is necessary for a Training and Employment Plan to be submitted to secure apprenticeship starts.</p> <p>Directly related – The request is directly related to the development as the development itself is a vehicle to</p>

		<p>support an on-going programme of skills, training and apprenticeships. The apprenticeship starts would be directly related to the construction of the development itself.</p> <p>Fairly and reasonably related in scale and kind – The number is considered proportionate and therefore fairly and reasonably related in scale and kind to the development. The requirement for a TEP would also increase the skills opportunities on site.</p>
<p>Arrangements to protect the alignment of the future strategic road infrastructure. The area to be protected would be the land forming part of planning application ref. 14/01968/F. The agreement would also need to allow others onto the land to construct the road and for its future dedication as highway.</p>	<p>TBC</p>	<p>Necessary – The development includes land that is required to deliver a strategic link road based upon its currently planned route as shown on the NW Bicester Masterplan. In the same way that arrangements have been secured in the past related to other sites to the south, this site would also need to enable the route for the strategic link road to be protected. This is necessary to make the development acceptable.</p> <p>Directly related – This requirement is directly related to the development because the land adjoins the application site and as it is required for strategic purposes, the requirement to secure this is directly related to the development.</p> <p>Fairly and reasonably related in scale and kind – the road is close to the site and related to it so the proposal to protect the route is fairly and reasonably related in scale and kind to the development.</p>

<p>A contribution towards highway works towards the:</p> <ol style="list-style-type: none"> 1) A4095 realignment and associated infrastructure 2) Middleton Stoney traffic calming. 3) Pedestrian and cycle infrastructure improvements in the area 	TBC	TBC	<p>Necessary – To improve sustainable transport options and to mitigate the cumulative impact of NW Bicester, and to provide safe cycling access to and within the vicinity of the site in accordance with the strategy for the NW Bicester Policy allocation.</p> <p>Directly related – The proposal provides for commercial uses which should be reasonably accessible via public transport modes to ensure employees have options to use sustainable modes of transport. The development is situated on the NW Bicester site which cumulatively requires strategic infrastructure to mitigate its impact. It is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind –</p> <p>The level of contribution sought would be proportionate and therefore fairly and reasonably related in scale and kind to the development.</p>
<p>A public transport contribution towards bus services serving NW Bicester</p>	TBC	TBC or delegated authority is sought to enable officers to negotiate this	<p>Necessary –</p> <p>The contribution is necessary to provide sustainable transport options to the site and as part of the overall public transport strategy for the NW Bicester policy allocation.</p> <p>Directly related –</p> <p>The proposal provides for commercial uses which should be reasonably accessible via public transport</p>

			<p>modes to ensure employees have options to use sustainable modes of transport. It is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind –</p> <p>The level of contribution sought would be proportionate and therefore fairly and reasonably related in scale and kind to the development.</p>
<p>A public transport infrastructure contribution towards bus stop infrastructure at NW Bicester</p>	<p>£25 924 index linked from October 2021 (Baxter)</p>		<p>Necessary –</p> <p>The contribution is necessary to support the provision of sustainable transport options to the site and as part of the overall public transport strategy for the NW Bicester policy allocation.</p> <p>Directly related –</p> <p>The proposal provides for commercial uses which should be reasonably accessible via public transport modes to ensure employees have options to use sustainable modes of transport. This is infrastructure to support the public transport provision. It is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind –</p> <p>The level of contribution sought would be proportionate and therefore fairly and reasonably related in scale and kind to the development.</p>

<p>There may be a need for a Traffic Regulation Order (if the matters are not dealt with under S278/S38 agreement). This is not clear yet.</p>			<p>Necessary – A TRO maybe necessary to reduce the speed along Howes Lane to provide safe access to and from the site and promote sustainable modes of transport contributing to the aims of Policy Bicester 1.</p> <p>Directly related – the requirement to deliver this highway works is directly related to the development as it is the development that requires these works.</p> <p>Fairly and reasonably related in scale and kind – The requirement is fairly and reasonably related in scale and kind to the development as it has been negotiated and deemed necessary works to make the development acceptable and to provide sustainable means of access to the site.</p>
<p>Travel Plan Monitoring contribution towards the cost of monitoring the framework and individual travel plans over the life of the plans</p>	<p>£1 558 index linked from December 2021 (RPI-x)</p>		<p>Necessary – The site will require a framework travel plan. The fee is required to cover OCCs costs of monitoring the travel plan over their life.</p> <p>Directly related - The contribution is directly related to the required travel plan that relates to this development. Monitoring of the travel plan is critical to ensure it is implemented and effective in promoting sustainable transport options and contributing to the aims of Policy Bicester 1.</p> <p>Fairly and reasonably related in scale and kind – The amount is based on standard charging scales which are in turn is calculated based on the Officer time</p>

			required at cost.
Public Right of Way contribution towards improvements to Aldershot Farm Bridleway	TBC	TBC	<p>Necessary -</p> <p>The contribution is necessary to ensure that the site continues to pay a proportionate contribution to the overall public rights of way improvements required for the NW Bicester policy allocation.</p> <p>Directly related -</p> <p>The overall NW Bicester site would allow greater public access and use of local public rights of way by residents and employees of the development. The contribution is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind -</p> <p>The level of contribution sought would be proportionate and therefore fairly and reasonably related in scale and kind to the development.</p>
The requirement to enter into a S278 agreement	N/A	The requirement not to implement the development until a S278 has been entered into must be secured by the S106. The trigger by which time	<p>Necessary –</p> <p>The proposed offsite highway works are necessary to provide pedestrian and cycle links from the development site to the local area. As the works are necessary to create the opportunities for sustainable travel, their provision must be secured. The requirement is therefore for the S106 to include a process to secure the entering into a S278 prior to the</p>

		<p>S278 works are to be completed (prior to occupation TBC) should also be included in the S106.</p>	<p>implementation of the development and to include timescales for the works to be completed by.</p> <p>Directly related –</p> <p>The requirement to deliver the offsite highway works is directly related to the development as it is the development that requires these works.</p> <p>Fairly and reasonably related in scale and kind –</p> <p>The requirement is fairly and reasonably related in scale and kind to the development as it has been negotiated and secured as necessary works to make the development acceptable and to provide for a sustainable means of access to the site.</p>
<p>CDC and OCC Monitoring Fee</p>	<p>CDC: £1500</p> <p>OCC: TBC</p>		<p>The CDC charge is based upon its recently agreed Fees and Charges Schedule which sets out that for developments of between 1,000-10,000sqm floorspace that a bespoke charge will be based upon the number of obligations and triggers with a minimum charge of £1,000. A registration charge of £500 may also be applicable. As the development has relatively few obligations and triggers for CDC, the minimum charge plus the registration charge is required. The need for a monitoring fee is to ensure that it can appropriately monitor that the development is complying with its S106 including the high standards sought at the site and taking into account the complex nature of the site.</p>