

Case Officer: Linda Griffiths

Applicant: Countryside Properties (Bicester) Limited

Proposal: Hybrid application comprising development of up to 72 dwellings (C3 Use Class) and a care home with up to 75 bedrooms (C2 Use Class) with other related infrastructure and associated works (in outline), and access to Wincanton Road (in full)

Ward: Bicester South And Ambrosden

Councillors: Councillor Cotter; Councillor Ideh and Councillor Pruden

Reason for Referral: Major development

Expiry Date: 10 April 2026

Committee Date: 26 March 2026

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site extends to 2.69 hectares and is part of the development at Southwest Bicester which is situated between the Middleton Stoney and Oxford Roads. The whole site was granted outline planning permission subject to conditions and subject to a Section 106 Agreement for the erection of up to 1585 dwellings, employment, education, health village, local centre and community facilities and supporting infrastructure in June 2008 (06/00967/OUT) refers. The site is known locally as Kingsmere Phase 1. Construction on site began in July 2010 and the development on the site is now complete except for this last remaining parcel.
- 1.2. A land use proposals plan approved as part of the original outline conditions identified this application site as a health village site which was to include land for GP surgery, Community Hospital and other related uses such as elderly care. A further outline consent for an additional 100 dwellings across the wider Kingsmere site was granted in 2016 (13/00433/OUT) refers.
- 1.3. The site which was formally agricultural land has been left fallow during construction of the remainder of the Phase 1 Kingsmere development. The site is essentially flat but drops in the north eastern corner where attenuation is proposed. There are trees around the perimeter of the site, these are both planted trees and self-set trees varying in quality and size. A hedge planted to the Pingle Brook open space boundary as part of the Kingsmere Phase 1 development is now relatively mature.
- 1.4. Adjoining the site to the north is Pingle Brook open space and the Esso petrol filling station together with Burger King and Little Chef food outlets which lie to the south. The A41 is situated directly to the east and the new residential parcels recently

completed by Linden Homes as part of the Kingsmere development lie to the west. Access to the site will be via the new signalised junction from the A41 adjacent to Premier Inn and the new secondary street which runs alongside Bicester Gateway.

2. CONSTRAINTS

- 2.1. The application site is within 250m of a buffer for Protected and Notable Species, notably swifts. A public right of way passes just to the north through the Pingle Brook open space. The site which was previously agricultural land (grades 2 and 3) rises up gently from Pingle Brook open space to a plateau and has no features of note. The site is a minor aquifer.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. This is a hybrid submission which seeks consent for up to 72 dwellings (Class C3) and a 75-bed care home (Class C2) with related infrastructure and works (in outline). Access will be taken from Wincanton Road, the existing road through Kingsmere, and the application seeks consent for the access road in full.
- 3.2. The site will be accessed via the new signalised junction onto the A41 serving the development of Kingsmere and along the secondary street between the Bicester Gateway retail scheme and the Linden homes development, now called Wincanton Road. The proposed care home will front Oxford Road. An attenuation pond is proposed in the north eastern corner of the site, which is slightly lower lying to deal with surface water from the development.

4. RELEVANT PLANNING HISTORY

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

06/00967/OUT – Outline permitted for up to 1585 dwellings with associated infrastructure.

13/00433/OUT – Outline consent for an additional 100 residential units across the development permitted above.

18/01721/OUT – outline sought for erection of up to 57 residential dwellings and other related infrastructure and works with land reserved for health hub/GP Practice – resolution to approve but remains undetermined as S106 not completed.

21/02630/PREAPP – Proposed Extra Care comprising 170 units, shared communal facilities incorporating café/restaurant and well-being centre and GP surgery

23/03221/PREAPP – Residential development and erection of 70 bed care home.

13/00847/OUT – outline consent for Phase 2 Kingsmere for up to 709 dwellings including extra care. Subsequent reserved matters have been granted and the residential dwellings are now complete. An application for the extra care units is undetermined but anticipated to be issued shortly (23/03073/HYBRID)

5. PRE-APPLICATION DISCUSSIONS

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

23/03221/PREAPP – Residential development and erection of 70 bed care home.

5.2. In terms of the proposed residential development on the site, the NPPF supports the need to boost significantly the supply of housing. The site is in a highly sustainable location and forms part of an approved strategic allocation. In terms of design and appearance, the proposal to reflect the adjacent Kingsmere development is acceptable. Proposed building heights which are shown on the accompanying parameter plan to be up to 2.5 storeys (maximum height of 9.5m) for the residential dwellings and up to 3 storeys (maximum height 13m) for the care home are also considered to be in principle appropriate for the Kingsmere development. The location of the site offers good potential to make connections to the network of footpaths and cycleways through the remainder of the Kingsmere development and leading to Middleton Stoney Road and the town centre, but it is also considered that additional access points should be made to enable easy access to the Oxford Road frontage to encourage sustainable travel, including walking and cycling as well as access to bus stops. Consideration should also be given to providing a new footpath to the Oxford Road frontage to aid these links. To conclude, there is certainly the potential for the site to be brought forward for residential dwellings and a care home subject to confirmation from the ICB or Alchester Group of GPs that there is no longer an interest in developing the site as a new GP health hub.

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. The final date for comments was **7 July 2025**, 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:

- Concerned about access via Wincanton Road and negative impact on residents
- Noise and safety concerns for pedestrians and children due to construction traffic and lorries parking in road, road is not suitable for high volumes of construction vehicles or heavy plant equipment, temporary access via Oxford Road for construction would be more appropriate.
- Development could cause severe traffic bottleneck in Wincanton Road once completed. Wincanton Road is not wide enough to serve the development as it is often partially blocked by parked cars. Difficulty for refuse lorries and emergency services.
- Will likely delay the long over-due final surfacing of the roads if used for construction traffic
- On a positive note, it will provide alternative walking route to The Acorn pub rather than through Burger King and Starbucks.
- When purchased house were explicitly informed by the developer that no further houses would be built at the end of the road.
- Lack of privacy, loss of light and overlooking from new development, require screening.
- A health facility should still be the main focus, not a care home

- Schools are already at capacity
- Kingsmere needs better green spaces, too many houses being built but not enough greenery

6.3. Local Councillor: **Objection**. Breach of covenant which stipulates use of land for a health centre for growing population of Bicester and surrounding area. Loss of strategic health infrastructure. Contrary to Policy Bicester 12 and Infrastructure Delivery Plan which require provision of health facilities alongside residential development and NPPF which emphasises the need to plan positively for health and social infrastructure. Impact on community if healthcare not provided increasing travel times and reducing service quality. Application should be refused or alternatively the applicant must provide clear evidence of how equivalent healthcare provision will be secured within the locality, with binding commitments.

6.4. 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.

7.2. BICESTER TOWN COUNCIL: **raise concerns** due to flood risk associated with the site; access and traffic issues for current residents; infrastructure around medical provision of new residents; contribution towards the cemetery, S106 contributions to new school provision; overdevelopment of the site as there is insufficient green space and not enough play space for children; loss of trees on the site; inclusion of improvements to footpath and cycle network on land adjoining Oxford Road; uncertainty of site with blue boundary on shown maps not being consistent with site plan (red boundary).

7.3. CDC ENVIRONMENTAL PROTECTION: **No Objection** and comment as follows: Conditions recommended in respect of a Construction Environmental Management Plan, Contamination, Lighting and odour impact assessment to ensure that the care home is not affected by odour from the nearby Burger King and Starbucks. Happy with the content and findings of the noise and air quality reports.

7.4. CDC ECOLOGY: **Object** – the proposals do not sufficiently demonstrate that a net gain can be achieved from this site. The target condition of the grassland should be reduced, and the strategy should be amended to reflect a more realistic approach. The baseline of poor condition other neutral grassland should also be reviewed. A HMMP will need to be secured through S106.

Update 30th October: The Ecology Technical Note has addressed concerns regarding the grassland proposed for off-site BNG delivery. Whilst still uncertain how effective the public information boards will be in deterring people and dogs from entering the 'good condition' grassland, the technical note does include options for remedial measures and outlines how the grassland will be monitored and what actions will be taken if the habitat condition is not being achieved in line with BNG requirements. On that basis, it is considered sufficient information has been provided regarding their BNG strategy. As BNG is being delivered off-site, a Habitat Management and Monitoring Plan (HMMP) and monitoring fees must be secured through a Section 106 Agreement.

- 7.5. CDC URBAN DESIGN: **Comments** that the design code is well considered and user friendly but makes a number of comments to be addressed in terms of layout and design for further consideration.

Update 18th February: **Comments** that amended submission addresses comments in relation to heights, density parameters and design code, however, direct link from care home to the bus stop on Oxford Road has not been provided. It is best practice and hardwired into design policy and guidance to support active modes of transport over private vehicles, and in this particular case seems an obvious link and may be relied upon by care workers to access their place of work.

- 7.6. CDC STRATEGIC HOUSING: **Support** this proposal in principle as it has the potential to meet a range of identified affordable housing needs, including larger rented dwellings and a large wheelchair adapted bungalow. Would welcome discussions regarding the affordable housing mix and how the pressing need for larger wheelchair adapted dwellings can be achieved.

- 7.7. CDC LANDSCAPE SERVICES: No comments received

- 7.8. CDC RECREATION AND LEISURE: Contributions are sought through S106 for community hall facilities - £123,428.86; outdoor sport £315,016.00; indoor sport £42,681.00; Community Development Worker £18,724.80; Community Development Fund £6,615.00 and Public Art £36,960.00

Update 10th November 2025: Following queries from the agent the figures have been updated to account for one occupant per care home room as follows: Community Hall Facilities for Care Home £34,450.16, Residential £79,349.54 = £113,799.70; Outdoor Sport for Care Home £87,699, Residential £202,547 = £290,246; Indoor Sport for Care Home £33,266 and Residential £76,735 = £110,001.

Update 1st December 2025: Following further correspondence from agent regarding the indoor and outdoor sports provision which they are argued was not CIL compliant in respect of the care home as the residents would not use these facilities due to their age and amount of care needed. Considered that a contribution still required from care home because they will have access to facilities at Bicester Leisure Centre and provision of sports facilities for more elderly residents such as walk football.

Update 26th January 2026: Following further correspondence and supporting documents from the agent regarding indoor and outdoor sports contributions for the health care facility stating that the development will be largely self-contained and that all facilities will be provided on site and residents are unlikely to use public facilities. It is agreed that if the residents of the care home facility will require full-time care and will not have the ability to leave the care home independently that the contribution towards the C2 facility be omitted, but should the care home come forward with independent accommodation, a contribution will be expected.

- 7.9. CDC BUILDING CONTROL: **Comment** that Building Regulations approval will be required for the development.

- 7.10. CDC ECONOMIC GROWTH: No Comments received

- 7.11. CDC PLANNING POLICY: No comments received

- 7.12. CDC ARBORICULTURE: No comments received

7.13. OCC HIGHWAYS: **Objection.** Access design and connectivity; does not currently demonstrate that it would deliver safe and convenient access for all modes of travel as required by Para 115 of the NPPF; does not give priority to pedestrian and cycle movements as required by Para 117 of NPPF; fails to demonstrate that the development would not result in severe residual cumulative impact on the highway network, contrary to Para 116 of NPPF.

Update 5th November: Objection maintained as above.

Update 26th February 2026: No objection following further submitted documents and plans, specifically the *Summary of Highways Position Note dated 6 February 2026 which should be read in conjunction with OCCs previous responses* and subject to S106 contributions, S278 agreement and a number of recommended planning conditions.

7.14. OCC LEAD LOCAL FLOOD AUTHORITY: **No Objection** subject to conditions

7.15. OCC EDUCATION: **Require** S106 contributions of £791,863 for secondary education and £862,686 for Special Education

7.16. OCC ARCHAEOLOGY: **No Objection** subject to conditions regarding a staged programme of archaeological investigation and archaeological evaluation.

7.17. OCC WASTE MANAGEMENT: **No objection** subject to S106 contributions of £7452 towards Household Waste and Recycling Centres.

7.18. OCC FIRE SAFETY OFFICER: **Comment** that these works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service to ensure compliance with the functional requirements of the Building Regulations.

7.19. ENVIRONMENT AGENCY: **No objection**

7.20. BOBICB: Request a contribution of £133,210 based on the additional floorspace necessary at the Montgomery Surgery or other primary care property to serve the additional population.

Update 12th August 2025: ICB is happy for the developer not to provide any onsite provision at Kingsmere but query whether the developer would be willing to fund new provision elsewhere instead (the cost of which would not be proportionate to the development proposed now).

7.21. THAMES WATER: **No objection** in respect of waste, foul water and surface water. In respect of the existing water network, TW has identified an inability of the existing network infrastructure to accommodate the needs of the proposal and therefore a condition is recommended requesting that no development be occupied until the upgrades required are in place.

7.22. ACTIVE TRAVEL ENGLAND: No comment as the application does not meet the statutory thresholds for its consideration.

7.23. BICESTER BIKE USERS GROUP: There is a very important issue regarding pedestrian and cycle connectivity linked to this development. OCC Local Cycling and Walking Infrastructure Plan for Bicester 2023 specifies segregated, off-road, pedestrian and cycle paths along the north side of Oxford Road. This development could permit the segregated paths to be delivered across the highway, but this may

need the provision of some land from within the application site, but the plans are not clear on this point.

Update 3rd November: In summary, it is essential for active travel, particularly cycling, that the applicant provide a connection directly from their site to BR10 and also contributes towards the delivery of segregated paths along the frontage of their site and to the stretch to the north to connect with to the remodelled junction with the Middleton Stoney Road.

7.24. THAMES VALLEY POLICE: No Comments received.

7.25. KINGSMERE RESIDENTS' ASSOCIATION: No Comments received.

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 2015)

- ESD1 – Mitigating and Adapting to Climate Change
- ESD3 – Sustainable Construction
- ESD5 – Renewable Energy
- ESD6 – Sustainable Flood Risk Management
- ESD7 – SUDS
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD15 – The Character of the Built Environment
- ESD17 – Green Infrastructure
- BSC3 – Affordable Housing
- BSC4 – Housing Mix
- BSC8 – Securing Health and Well-Being
- BSC10 – Open Space, outdoor Sport and Recreation
- BSC11 – Local Standards of Provision – outdoor recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- SLE4 – Improved Transport and Connections
- INF1 - Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – Design Control Over New Development
- ENV12 – Contaminated Land
- TR1 – Transportation Funding

8.3. The District Council has prepared a 2042 Review Local Plan that has passed through Reg.18 and Reg.19 consultations and has now been submitted for

Examination (31 July 2025). Even though it has not been statutorily adopted, by virtue of its advanced stage of preparation and Council endorsement as adopted emerging strategy worthy of consideration at Examination, some weight must now be afforded to its policies and proposals, with the weight attributable dependent upon the level of objection and/or support offered in representations made in respect to the two rounds of public consultation. Emerging policies of relevance to this proposal are:

- Policy SP1: Settlement Hierarchy
- Policy CSD1: Mitigating and Adapting to Climate Change
- Policy CSD2: Achieving Net Zero Carbon Development – Residential
- Policy CSD5: Embodied Carbon
- Policy CSD6: Renewable Energy
- Policy CSD7: Sustainable Flood Risk Management
- Policy CSD8: Sustainable Drainage Systems
- Policy CSD11: Protection and Enhancement of Biodiversity
- Policy CSD12: Biodiversity Net Gain
- Policy CSD16: Air Quality
- Policy CSD17: Pollution and Noise
- Policy CSD18: Light Pollution
- Policy CSD19: Soils, Contaminated Land and Stability
- Policy CSD21: Waste Collection and Recycling
- Policy CSD22: Sustainable Transport and Connectivity Improvements
- Policy CSD25: The Effective and Efficient Use of Land – Brownfield Land and Housing Density
- Policy COM1: District Wide Housing Distribution
- Policy COM2: Affordable Housing
- Policy COM3: Housing Size/ Type
- Policy COM4: Specialist Housing
- Policy COM5: Residential Space Standards
- Policy COM14: Achieving Well Designed Places
- Policy COM15: Active Travel – Walking and Cycling
- Policy COM17: Health Facilities
- Policy COM21: Meeting Education Needs
- Policy COM22: Public services and Utilities
- Policy COM23: Local Services and Community Facilities
- Policy COM24: Open Space, Sport and Recreation
- Policy BIC1: Bicester Area Strategy

8.4. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Design Guide SPD (2018)
- Non-Statutory Cherwell Local Plan 2011
- Kingsmere Design Code Phase 1 2008
- CDC Planning Obligations SPD 2018
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

9. APPRAISAL

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

- Principle of development and planning history
- Design, and impact on the character of the area
- Transport Assessment and Highways
- Flood Risk and Drainage
- Residential amenity and Noise Assessment
- Ecology impact
- Sustainability
- Air Quality
- Mitigation of Infrastructure Impacts
- Planning Balance and Conclusion

Principle of Development and Planning History

- 9.2. The Development Plan for Cherwell District comprises the saved policies in the adopted Cherwell Local Plan 1996 and adopted Cherwell Local Plan 2011-2031. Section 70(2) of the Town and Country Planning Act 1990 provides that in dealing with applications for planning permission, the local planning authority shall have regard to the provisions of the development plan, so far as is material to the application, and to any material considerations. Section 38 of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is also reflected in the National Planning Policy Framework (NPPF) at paragraph 12 which makes it clear that the starting point for decision making is an up-to-date development plan.
- 9.3. The adopted Cherwell Local Plan 2011-2031 seeks to allocate sufficient land to meet District-wide housing needs. The overall housing strategy is to focus strategic housing growth in the market towns of Banbury and Bicester, and a small number of strategic sites outside of these towns including an allowance for housing in the rural areas. The delivery strategy for meeting the housing requirements is through existing extant planning permissions, local plan allocations and windfall sites. Whilst Policy BSC1 is now out of date insofar as the number of dwellings required to be delivered, the housing strategy remains relevant. The Cherwell Local Plan Review 2020 is a focussed plan to allocate land to meet Oxford's unmet housing needs.
- 9.4. Policy PSD1 'Presumption in favour of sustainable development' of the adopted Cherwell Local Plan 2011-2031 states that the council will take a proactive approach in seeking to deliver sustainable development across the district without delay. New development across the district is focussed primarily upon the towns of Bicester and Banbury whilst limiting development elsewhere in order to provide for the most sustainable form of growth over the plan period. The NPPF sets out the economic, social and environmental roles of planning in seeking to achieve sustainable development contributing to building a strong, responsive and competitive economy, supporting strong, vibrant and healthy communities, and contributing to protecting and enhancing our natural and built environment.
- 9.5. The site in question is identified as 'health village' land as part of a mixed-use development which was allocated as a strategic urban extension under Policy H13 of the non-statutory Cherwell Local Plan 2011. Planning permission was granted in 2008 and was implemented in 2010. The majority of the site is now built out and occupied. The healthcare site which is the subject of this application is the last

remaining parcel of land to come forward for development. One of the requirements of that policy was to 'provide opportunity for appropriate medical facilities to be provided in accordance with NHS requirements on a commercial basis'. The explanatory text advised that the components listed in the policy were essential to the proper planning of the locality in that they will provide services, employment and facilities for residents living in the new neighbourhood, to ensure new development is integrated into the town in a planned manner. The section 106 agreement accompanying the original outline (06/00967/OUT) requires that for a period of five years from implementation of the development or until first occupation of 1000 dwellings, whichever is the later, that best endeavours are used to market the site identified as the healthcare site for a community hospital, GP surgery and Medical Facility uses, which may include extra care elderly nursing home within Use Class C2.

- 9.6. The s106 accompanying 06/00967/OUT included an 'infrastructure contribution' of £600,000 index linked towards a number of infrastructure matters including 'the provision and/or improvement of social and health care infrastructure and/ or facilities servicing Bicester (including any day care centre for older people) etc (not all of this contribution would have been available for this use). The s106 accompanying Phase 2 of Kingsmere (13/00847/OUT) did not secure a health contribution.
- 9.7. Whilst the timescale for submitting reserved matters under 06/00967/OUT has now lapsed, the permission has been implemented and therefore the obligations within the Section 106 are still relevant. It should be noted that an expression of interest in purchasing and developing the site as a new GP health-hub was made at the end of 2017 by a group of Bicester GPs, prior to 1000 occupations. This interest was driven by the unsuitability of the current premises to cater for current and planned growth in service demand resulting from an aging and increasing population. It should also be noted that following the expression of interest there is no time limit in the Section 106 for seeking to achieve a sale before the land can be disposed of for alternative uses. Countryside is therefore bound by the obligation to secure a sale to the interested party for as long as that interested party (in this case the GPs) continue to hold an interest in the site.
- 9.8. An outline planning application was submitted in 2018 which sought consent for up to 57 dwellings on part of this site with the remainder to be retained for use as a new health hub and GP surgery (18/01721/OUT) refers. Whilst Members resolved to approve the application, a decision has not been issued, and the application remains held in abeyance as no section 106 has yet been agreed.
- 9.9. Further to the submission of the 2018 outline application and the expression of interest from the GPs, a subsequent planning application for a new health hub was submitted for land at Graven Hill as an alternative to the site at Kingsmere. That application was submitted as the GP's who had expressed an interest in the Kingsmere site considered the Graven Hill site to be a better alternative. Whilst it was resolved by the Planning Committee to grant planning permission, that application has now been withdrawn as the S106 had not been progressed.
- 9.10. In considering this application proposal, it should also be noted that the whole of the health village site (this application site) identified in the Kingsmere Phase 1 development extends to 2.69ha, but that the development only required 0.4ha of land to be set aside for a GP surgery. When considering the application above in 2018, the GP's advised that 0.4ha was not sufficient to accommodate their future needs and requested that a larger area of land be set aside for a new GP health hub. The health village land allocated and applied for through the original outline application also included 1.0ha for a new community hospital and the remainder of

the land for health-related uses, including an elderly care home. The new community hospital was provided on its original site off Kings End and therefore this facility is no longer required to be provided on this site.

- 9.11. Whilst North West Bicester includes a site for a GP surgery, this only extends to 0.2ha and has not yet come forward for development. BOBICB in their consultation response have advised that they no longer wish this site to be set aside for GP use and that there are other proposals for meeting the need elsewhere in Bicester. A contribution towards improvement to existing surgeries has been requested and is included in the planning obligation requests outlined below. The GP's who initially expressed an interest in the site for a new GP hub have not pursued their interest any further and have not purchased the site. The care home is an appropriate use for this site and accords with the original allocation, outline planning consent and S106 accordingly.
- 9.12. Policy BSC8 of the adopted Cherwell Local Plan 2011-2031 identifies that there is a need for more GP provision in Bicester and this site is in a highly sustainable location and would, if developed for care and GP purposes, be suitably located to serve both existing and new populations. Paragraph 101 of the NPPF is also relevant in seeking to ensure the delivery of such infrastructure to improve health and social well-being. As advised above however, the GPs have not pursued their interest in the site and therefore the requirements to set aside 0.4ha for a GP surgery under the 2006 S106 have now fallen away. Furthermore, BOBICB have also confirmed that they do not object to the proposals subject to a financial contribution secured through a S106 towards improvements to GP provision elsewhere in Bicester.
- 9.13. In terms of the proposal for up to 72 dwellings on the site, the NPPF supports the need to boost significantly the supply of housing to meet the full, objectively assessed need for housing and consequently requires LPA's to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against requirements. The Council's current position on housing land supply is published in the December 2025 Annual Monitoring Report (AMR) which involved a comprehensive review of housing land supply within the District and confirms that Cherwell District Council can only demonstrate a housing land supply of 3.1 years.
- 9.14. This figure accounts for the land supply calculations for delivering housing sites measured against an identified need, including that for Oxford's unmet need. The land supply calculations are in light of the revised NPPF (December 2024) and an appeal decision at RAF Upper Heyford and the subsequent High Court decision for the appeal for which the judge ruled that a single housing land supply calculation for the whole district must be used, incorporating both Cherwell's own need and Oxford's unmet need.
- 9.15. Paragraph 11 (d) of the NPPF states that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
 - i. The application of policies in this framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed;
 - ii. Or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing

well designed places and providing affordable homes, individually or in combination.

- 9.16. Having regard to the above, the policies relevant to determining the application (in this case housing land supply policies) are out of date because the local planning authority cannot demonstrate a five year supply of deliverable housing sites. As outlined above, the council cannot presently demonstrate a five year housing land supply and therefore paragraph 11(d) of the NPPF which sets out the presumption in favour of sustainable development is engaged which sets out that the development should be approved unless there are strong reasons to refuse the development due to the application of policies from the Framework which protect areas or assets of particular importance or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
- 9.17. In conclusion therefore, having regard to the above, it is considered that the proposal for residential development and a new care home on this highly sustainable site within Bicester on a site that was previously allocated for development accords with the Development Plan and the NPPF. The principle of the development proposed is therefore accepted.

Design and Impact on the Character of the Area

- 9.18. Section 12 of the NPPF 'Achieving well designed places' attaches great importance to the design of the built environment and advises at paragraph 131 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'.
- 9.19. Policy ESD15 of the adopted Cherwell Local Plan Part 1 2011-2031 advises that design standards for new development whether housing or commercial development are equally important and seeks to ensure that we achieve locally distinctive design which reflects and respects the urban or rural landscape and built context within which it sits. The Cherwell Local Plan 1996 contains saved Policy C28 which states that control will be exercised over all new development including conversions and extensions to ensure that the standard of layout, design and external appearance, including choice of materials are sympathetic to the character of the urban or rural context of the development.
- 9.20. The application is accompanied by a Design and Access Statement and Design Code. Policy ESD15 advises that the design of all new development will need to be informed by an analysis of the context together with an explanation and justification of the principles that have informed the design rationale which should be demonstrated in the design and access statement that accompanies the application.
- 9.21. The appearance of new development and its relationship with its surroundings and built and natural environment has a significant effect on the character and appearance of the area. Securing new development that can positively contribute to the character of its local environment is therefore of key importance. The built residential development proposed within the submitted design and access statement is not dissimilar to the existing residential development on Kingsmere Phase 1 and is therefore acceptable in principle in this respect.
- 9.22. The submission was assessed by CDC Urban Design Officer who offered comments on the submitted parameter plans and design code. The applicant was advised to ensure the provision and delivery of appropriate pedestrian/cycle links to existing and a pedestrian link from the care home to the bus stop on Oxford Road. It was also advised that buildings up to 4 storeys should be considered to allow some

flexibility to mark the corner of the site/gateway, frame open spaces and provide higher densities where appropriate. It was also suggested that the density be increased to 35-40 dwellings per hectare which would be more consistent with the existing Kingsmere development.

- 9.23. In terms of the submitted design code, it was well-considered and user friendly but a number of matters were raised which required further consideration. It was considered that the main points were that the character area named Pingle Brook Edge should be adequately framed by the built frontage and that rear courtyards should be avoided, but where necessary should be clearly designed as private OR public spaces with good levels of active surveillance. Parking squares might also be an alternative for provision of parking to provide active surveillance. It was also advised that this phase of the Kingsmere development has its own character which takes the best from the adjacent character area to ensure a consistent approach, whilst also responding to the latest design guidance and context. Houses should not be deep plan as they do not reflect the Residential Design Guide or traditional local vernacular. Further information was also requested regarding boundary treatments, and in particular to Oxford Road.
- 9.24. A revised submission was received February 2026 which included a revised Design and Access Statement and Design Code which sought to address the matters raised by the Urban Design Officer and which have been reviewed accordingly. The majority of points raised have been addressed, however, the applicant has pushed back on the request for a direct pedestrian link from the care home to the bus stop on Oxford Road advising that residents are unlikely to use the bus due to the level of care they will need and that staff can use the footpaths nearby. Additionally, the applicant states that the access to the public footpath at the rear of the care home is poorly located, would require a passcode or key and would create security concerns. It is best practice and hardwired into design policy and guidance to support active modes of transport over the private motor vehicle and it is most regrettable that the applicant has declined to provide this link without overriding justification for not doing so.
- 9.25. Having regard to the above, the submission is considered acceptable as the application proposals are in outline only and full details will need to be provided at reserved matters stage. In terms of the footpath links to the surrounding footpath network and development, it is considered that a condition should be included which seeks provision of footpath links from both the residential element and the care home site be included with the reserved matters submissions. The proposals are considered to be in accordance with development plan policies and the NPPF and therefore acceptable in this respect.

Flood Risk and Drainage

- 9.26. The original outline consent advises that the surface water drainage system must be independent of the main network and provide surface water alluviation and storage within the plot, suitable for 100 year plus climate change events. The submission proposes an attenuation pond within the northeast corner of the site and is located within an area currently highlighted to be at risk of surface water flooding.
- 9.27. A Flood Risk Assessment has been submitted with the application and has been assessed by OCC drainage engineers who raise no objection to the proposals subject to the imposition of conditions which are included in the list of proposed conditions.
- 9.28. It is ultimately the Developer's responsibility for the provision of the Surface Water attenuation, using SuDS such that flows from the site are restricted prior to

discharge into Pingle Brook at a rate of 3.4 l/s. The exact size and location of the attenuation methods and vortex flow control device will be confirmed by the Developer at detail design stage, with further drainage calculations and any surface water storage to be beyond the fluvial flood line identified.

- 9.29. The Environment Agency have not objected to the application submission and the outfall location has been granted by the EA (Appendix C). The drawings show that the care home will be serviced by below ground storage crates, or similar located within the development land. The Care Home Developer is responsible for the provision of the Surface Water attenuation, using SuDS such that flows from the site are restricted prior to discharge into Pingle Brook. Details of the porous paving and filter trenches will be inspected and maintained by a private management company.
- 9.30. Thames Water have also assessed the submission and advise that as surface water will not be discharged to the public network, no objections are raised. However, should connection be subsequently sought to discharge surface water to the public network in the future, this would be a material change which would require an amended application. In terms of water supply, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. A condition is therefore recommended to ensure that the necessary upgrades are provided prior to occupation of the development.
- 9.31. Having regard to the above, the proposals as submitted are acceptable and in accordance with the development plan and NPPF accordingly.

Residential Amenity and Noise Assessment

- 9.32. Paragraph 187 of the NPPF advises that '*planning policies and decisions should contribute to and enhance the natural and local environment bypreventing new and existing development from contributing to, being put at unacceptable risk, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability*'.
- 9.33. Paragraph 198 of the NPPF also advises that '*planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development and in doing so should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life*'.
- 9.34. The amenities of the proposed residents could be affected by noise from the adjacent petrol station site, retail servicing site and the A41. The development will therefore need to be carefully designed having regard for the likely need for noise attenuation and means of attenuation or fencing along the southern and eastern boundaries and how development proposals might respond to this appropriately. This is a very open and visible development parcel and areas of attenuation fencing visible to the public domain are unlikely to be considered acceptable from a visual amenity point of view. Consequently, the application is accompanied by a Noise Impact Assessment produced by Create Consulting Engineers Ltd on behalf of the applicant. The report considers that the most prominent noise sources around the site are vehicular traffic along Oxford Road, servicing of the retail units and the adjacent fast-food outlets.
- 9.35. The report advises that based on the survey data; internal noise levels can be achieved with windows closed using standard techniques and standard glazing. The

entire area of the proposed residential development has been modelled to show that the whole of the residential area should be suitable for natural ventilation. The care home facility would be subjected to increased sound levels from Oxford Road, but this could be suitably mitigated through the implementation of a good acoustic design. The report also recommends that a solid acoustic barrier be installed at the perimeter of the site adjacent to the fast-food outlets.

- 9.36. The Noise Impact Assessment has been reviewed by Environmental Protection who advise that its content and findings are acceptable and would expect to see the detail of the orientation, location and external spaces, ventilation, glazing requirements for the care Home and any other mitigation required at the reserved matters stage.
- 9.37. Having regard to the above and careful positioning and orientation of buildings and dwellings at reserved matters stage, it is considered that with the appropriate mitigation, that development can be accommodated on this site. This will need to be designed as far as practicable, to achieve the desirable noise levels for acceptable residential amenity to avoid noise affecting the development that could give rise to significant adverse impacts upon residential amenities and therefore the health and well-being of future residents. The proposal is therefore considered to be in accordance with the NPPF, relevant legislation and the development plan in this respect.
- 9.38. It is further considered that subject to positioning and orientation of dwellings through the submission of reserved matters that the development proposed can be successfully accommodated on the site having regard to the residential amenities of existing and proposed new residents.

Ecology Impact

Legislative context

- 9.39. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.40. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.41. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.42. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot,

destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:

- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
- (2) That there is no satisfactory alternative.
- (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

9.43. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

9.44. A mandatory 10% net gain on-site would be required for this development in accordance with the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Policy Context

9.45. Paragraph 180 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.

9.46. Paragraph 186 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

9.47. Paragraph 191 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

9.48. Policy ESD10 of the Cherwell Local Plan 2015 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to

accompany planning applications which may affect a site, habitat or species of known ecological value.

- 9.49. Policy ESD11 is concerned with Conservation Target Areas (CTAs), and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 9.50. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.51. The Planning Practice Guidance dated 2014 post dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.52. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are:

- present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development

It also states that LPA's can also ask for:

- a scoping survey to be carried out (often called an 'extended phase 1 survey'), which is useful for assessing whether a species-specific survey is needed, in cases where it's not clear which species is present, if at all
- an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren't affected at each stage (this is known as a 'condition survey')

- 9.53. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site is close to a stream and there are a number of mature trees and hedgerows within and adjacent to the site, and therefore the site has the potential to be suitable habitat for bats, breeding birds, badgers, reptiles, great crested newts, water voles and invertebrates. In respect of the application site, the constraints have highlighted that swifts are within proximity of the site, and nesting Skylark (a declining farmland species) have been present on the site in the recent past.

- 9.54. In order for the local planning authority to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 when considering a planning application where EPS are likely or found to be present at the site or surrounding area, local planning authorities must firstly assess whether an offence under the Regulations is likely to be committed. If so, the local planning authority should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.

- 9.55. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.
- 9.56. The application is supported by an Ecological Impact Assessment, Biodiversity Net Gain Assessment, BNG Metric and a Habitat Management and Maintenance Plan.
- 9.57. The above has been assessed by the Ecologist. The on-site BNG strategy includes the creation of modified grassland, urban trees, Sustainable Drainage Systems (SuDS), vegetated gardens and species-rich hedgerows. Additionally there is proposed enhancement of existing neutral grassland to achieve a 'moderate' condition. Subject to the implementation of a robust Habitat Management and Monitoring Plan (HMMP), these outcomes are considered achievable. The HMMP should be secured through a Section 106 Agreement to ensure long-term delivery and monitoring.
- 9.58. The majority of the BNG uplift is proposed to be delivered off-site within the wider Kingsmere development area. The strategy primarily involves enhancing areas of neutral grassland from 'poor' to 'good' condition. While this approach is acceptable in principle, a number of concerns were raised with the proposals. The areas proposed for enhancement will be accessible to the public and are part of a public park and garden. CDC Ecology does not support the creation of other neutral grassland in 'good' condition in areas that are subject to higher levels of disturbance – pedestrians, dog walkers, bikers etc. Even if the grasses are kept longer, if access to these areas is not restricted, the highest condition that we would expect the grassland to achieve is 'moderate'. Additionally, large sections of the grassland proposed for enhancement also appear to fit into the 'moderate' category already. Further justification for assigning a 'poor' condition was requested, including more detailed descriptions addressing each of the condition assessment criteria, supported by photographic evidence to clearly demonstrate the current 'poor' condition of the grassland. In summary the original submission did not sufficiently demonstrate that a net gain can be achieved for this site, the target condition of the grassland should be reduced and the strategy amended to reflect a more realistic approach and the baseline of poor condition other neutral grassland should also be reviewed.
- 9.59. The submitted Ecology Impact Assessment sufficiently covers ecological constraints and provides recommendations for avoiding, mitigating and compensating for impacts. These recommendations will need to be secured through conditions, including a CEMP, Biodiversity Method Statement or Enhancement Plan for species specific enhancements, including bird boxes, bee bricks, bat boxes and hedgehog highways and a Lighting Design for bats ensuring that there are dark corridors along the boundaries and commuting routes.
- 9.60. Following the comments above, an Ecology note dated 18th August 2018 was submitted to respond to the matters raised and has been reviewed by the Ecologist. The note explaining the 'poor' condition grassland provides a clearer rationale for the baseline assessment. The grassland has been assessed in poor condition but would be 'moderate' condition with just 1% more bare ground or 1% less of suboptimal species meaning that this is very much on the edge of poor and likely closer to moderate. However, the ecologist on site has assessed the grassland as poor and provided rationale in line with survey guidelines and so this has been accepted.

- 9.61. Concerns remain however around the proposed creation of other neutral grassland in 'good' condition as we need to be confident that the areas proposed in 'good' condition won't be subject to regular disturbance as if they are it is unlikely that the habitat will reach or maintain that condition. The applicant was therefore asked to provide further detail on how the grassland will be managed to meet the 'good' condition criteria for 30 years, as required by BNG particularly how public access will be limited. To meet 'good' condition, the grassland needs varied sward height – with at least 20% under 7cm and 20% over 7cm, so it can't be kept uniformly long. One option suggested is to maintain shorter areas centrally with longer edges. The areas will also need to be kept clear of dogs.
- 9.62. Following the above, an Ecology Technical Note was prepared by the Environmental Dimension Partnership Ltd (EDP) and updated Biodiversity Metric which provides supplementary information to support the application, and the off-site proposed biodiversity enhancement works. This has been reviewed by the Ecologist who advises that the Ecology Technical Note has addressed the concerns regarding the grassland proposed for the off-site BNG delivery. There remains some uncertainty about how effective the public information boards will be in deterring people and dogs from entering the 'good' condition grassland, but the technical note does include options for remedial measures. It outlines how the grassland will be monitored and what actions will be taken if the habitat condition is not being achieved in line with BNG requirements.
- 9.63. On that basis, it is considered that sufficient information has been provided regarding the BNG strategy. As BNG is being delivered off-site, a Habitat Management and Monitoring Plan (HMMP) and monitoring fees must be secured through a Section 106 Agreement.
- 9.64. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, and subject to conditions, that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Transport Assessment and Highways

- 9.65. The application as submitted is a hybrid, with the main access into the site to be considered as a detailed proposal, with all other matters, reserved.
- 9.66. Strategic Objective 13 of the adopted Cherwell Local Plan 2011-2031 aims to reduce the dependency on the private car as a mode of travel and to increase opportunities for travelling by other modes. Policy ESD1 also aims to mitigate the impact of the development on climate change by delivering development that seeks to reduce the need to travel, and which encourages sustainable travel options including walking, cycling and public transport to reduce the dependence on private cars. Policy SLE4 also has similar objectives. The transport impacts of the development must be considered against these policies and the requirements of Section 9 of the NPPF.
- 9.67. Paragraph 115 of the NPPF states that: *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should ensure that:*
- *Sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location*

- *Safe and suitable access to the site can be achieved for all users*

9.68. Paragraph 117 of the NPPF goes on to state that applications for development should:

- *Give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use*
- *Create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.*

9.69. OCC as Local Highway Authority assessed the initial submission and raised a number of objections, and these are discussed in more detail below.

9.70. Off-site improvements were previously requested by OCC in relation to the 2018 submission. In line with this, the applicant now suggests that they would accept the same following requirements with details to be presented at the Reserved Matters stage:

- Proportionate extension to the duration of the contract for the existing Kingsmere bus service (contributions to be sought via the s106)
- Provision of a pedestrian/cycle route along Oxford Road/A41 and pedestrian/cycle crossing on Middleton Stoney Road near Villiers Close and cycle facility between the informal crossing of Middleton Stoney Road near the junction with Oxford Road, linking to Kings End to provide for onward movements northwards from existing shared use cycle facility on Oxford Road.

9.71. OCC's approved Bicester Local Cycling and Walking Infrastructure Plan (LCWIP) identifies a segregated off-road facility along the western side of the Oxford Road and a pedestrian/cycle link from the eastern site boundary should provide a direct connection from the site through to the segregated off-road facility. Service cabinets currently constrain the western footway of Oxford Road and therefore land along the site's eastern boundary may be required for highway dedication. The adjacent development to the south is delivering a link along its frontage to Oxford Road and it is requested by OCC that this development must extend that link northwards to support a continuous off-road network in west Bicester.

9.72. In respect of the pedestrian/cycle link along the frontage and north of the development site, concerns were also raised by Bicester Bike Users Group (Bicester BUG) and they highlighted that if not provided, this would seriously undermine active travel to and from the proposed development and also hinder wider active travel connections in the local area.

9.73. In the interests of securing safe and secure walking and cycling links to facilities, OCC also seek contributions to the sum of £130,000 to widen the bridge to the north of the site, in order to facilitate connectivity to the Middleton Stoney Road scheme. A pedestrian/cycle scheme at the Middleton Stoney Road/Middleton Stoney Road junction has been secured as part of the Bicester Village development, however, this scheme has yet to come forward and therefore OCC request that this

application should also provide a proportionate contribution to the continuation of the segregated link to Middleton Stoney Road.

- 9.74. In terms of the vehicular access, OCC have requested clarification as to whether the proposed turning head for the care home is permanent or temporary and whether it will be altered when the residential phase is delivered. A continuous 2m footway must also be provided along the care home access and into the residential layout. Visibility splays were not indicated, and all junction and forward visibility splays must meet Manual for Streets standards for 20mph design speed and be dedicated to OCC of outside the existing highway boundary. A swept path analysis was also requested demonstrating an 11.6m refuse vehicle passing an oncoming car at the site access. OCC have also advised that a Traffic Regulation Order will also be required for proposed double yellow lines.
- 9.75. In terms of trip generation and impact, trip generation for the residential element references the undetermined 2018 submission, which is not acceptable as a baseline and full TRICS outputs and details of selection parameters have not been provided and must include commentary on selection criteria such as land use and location, accessibility, dwelling size and tenure and car parking provision. No network impact assessment or modelling has been undertaken due to reliance on outdated assumptions and therefore must be revisited with robust justification. The submission had not demonstrated that the proposed development would not result in severe residual cumulative impact on the surrounding road network (referencing NPPF paragraph 117).
- 9.76. Following the above comments and discussions with OCC Transport an addendum to the Transport Statement dated October 2025 provided by SLR Consulting Ltd was received and has been reviewed by OCC Transport who have identified a number of outstanding matters and therefore raised further objections as follows.
- Applicant has not yet confirmed agreement in respect of the bus contribution
 - Transport Statement Addendum (TSA) does not agree to the segregated pedestrian/cycle links as the moving of the utility equipment or incursion of highway land within the site and the latter would not be appropriate as part of the current planning application, contradicting the applicant's initial Transport Statement submission which suggested a willingness to deliver off-site improvements in line with the 2018 submission. OCC further advise that the TSA's reliance on access via Wincanton Road and Pioneer Way is not accepted as this route is circuitous, narrow, lacks dedicated cycle facilities and does not comply with LTN 1/20 guidance for providing appropriate protection from motor traffic suitable for most users.
- 9.77. Having regard to the above, OCC has reiterated that the proposed 3m+2m LTN compliant facility along the Oxford Road frontage is required to ensure compliance with paragraphs 115 and 117 of the NPPF, the Bicester LCWIP and OCC's LTCP. It is OCC's view that in order to provide the link, the application is required to safeguard circa 2m strip of land while the 3m will remain within the highway verge. Failure to deliver this link would result in severance and loss of connectivity, contrary to OCC's adopted policies for active travel.
- 9.78. In terms of the vehicular access, the care home will reportedly be serviced by a private waste contractor using a 7.5t vehicle or similar. Swept path analysis is required to demonstrate safe entry and exit movements and space where a car can safely stop to allow the vehicle through. Tracking for an 11.6m refuse vehicle should be provided if OCC is expected to service the site. Regarding the care home access, if beyond the first 15m is to be a private road, then a width of 4.8m is

satisfactory, however, if the entire access is to be adopted, a 5.5m carriageway is required. A TRO will be necessary and must be secured through a S106 Agreement.

- 9.79. The TSA continues to rely on outdated assumptions which is not acceptable but does acknowledge the need to update trip generation rates using new TRICS data which is supported in principle. While TRICS outputs are provided, compatibility with the selected sample sites has not been demonstrated (e.g. parking provision, accessibility, dwelling size, tenure and scale). For example, the TRICS sample of sites range from 26 to 1146 dwellings, which is not comparable in scale to the 72 dwellings proposed. The trip distribution methodology lacks justification, relying on historic data from another assessment (Vectos 2019), which referenced earlier development proposals and does not appear to represent current site conditions. The 'Traffic Distribution' figures in Appendix G raises queries, including an unrealistic proportion of site trips assigned to Whitelands Way and the B4030/A41 roundabout rather than the more logical Pioneer Way/Oxford Road signal junction as well as a higher overall assignment to the south and away from Bicester central. The applicant was advised to undertake a bespoke trip generation and distribution exercise based on current proposals, data and conditions. As submitted OCC considered that this revised assessment submitted in October 2025 failed to demonstrate that the development would not result in a severe residual cumulative impact on the highway network, contrary to Paragraph 116 of the NPPF.
- 9.80. Further to the above, a Highways Technical note was provided for assessment to OCC on 4th February 2026. The amended drawings also show a refinement to the northern site boundary to incorporate the previously indicated pedestrian footpath connections across land owned by the applicant. This facilitates improved pedestrian access to the existing Pingle Brook footpath. In addition, the safeguarded strip identified on the drawings is proposed to be secured through a S106 Agreement and subsequently transferred to OCC. This submission has been reviewed by OCC who now advise that the previous objections have now been addressed and provide further comments below and also addresses the objection raised by Bicester BUG in this regard.
- 9.81. The proposed site access arrangement is via an extension to the stub end of Wincanton Road as set out within Drawing Number PD04 Rev A. In relation to the Care Home access, what is being proposed is that the first 15m is being offered for adoption and beyond this it shall be a private road. The proposed Care Home carriageway width of 4.8m is satisfactory for a private street (this is in comparison to a carriageway width requirement of 5.5m were the road to be adopted). The applicant has also confirmed that the Care Home is to be serviced by a private waste contractor (typically using a 7.5t vehicle or similar) as opposed to using public services (11.6m refuse vehicle) and the layout has been designed accordingly.
- 9.82. The previously requested Road Safety Audit Stage 1 and the Designers Response remain outstanding, however, in this instance, due to no material concerns being raised in relation to the proposed layout it is considered appropriate to defer the RSA to the S278 and S38 stages. A Traffic Regulation Order will be required for the proposed double yellow lines which will be considered through the S106.
- 9.83. Having regard to the above and following negotiation with OCC and the submission of revised documents and plans the application is now considered acceptable in transport terms and is therefore in accordance with the development plan and NPPF in this respect.

Sustainability

- 9.84. Sustainability is one of the key issues at the heart of the NPPF and is also sought by Policies ESD1 to ESD5 of the Cherwell Local Plan 2011-2031. The proposal must therefore demonstrate how it achieves sustainable objectives, including the need to show how it promotes sustainable modes of transport, including walking and cycling along with utilising sustainable construction methods and measures to reduce energy consumption.
- 9.85. The submission references that the residential element will be incorporated within the Travel Plan document for the wider Kingsmere development. However, as this is a separate application, a separate travel plan will be required. A Travel Plan will also be required for the Care Home. These will need to be provided and agreed prior to first occupation but can be dealt with by condition.
- 9.86. In terms of footpath and cycle links, the Design and Access Statement advises that the proposals will place an emphasis on cycle and pedestrian movement and that block structure together with appropriate links to the adjacent residential parcels and existing public rights of way within Pingle Brook open space creates permeability and therefore will encourage walking and cycling.
- 9.87. It is accepted that the site offers good potential to make connections to the network of footpaths through the remainder of the Kingsmere development and leading to Middleton Stoney and Oxford Roads, but it is also considered that an additional access point should be provided from the care home site on the desire line to Oxford Road and the bus stop. Whilst this is not currently proposed it is considered that any subsequent reserved matters application makes appropriate connections to both the existing Kingsmere development and Oxford Road.
- 9.88. An Energy and Sustainability Report has been submitted with the application. In terms of energy, it advises that the proposed development will be designed with the aim to reduce energy demand through passive design measures and a fabric first approach before utilising low carbon energy and the production of on-site renewable energy. In terms of water efficiency, it is suggested that a condition be included to secure the higher level of water efficiency specified in Policy ESD3 of the Cherwell Local Plan 2011-2031.

Air Quality

- 9.89. Kings End which is in close proximity to the development site is an Air Quality Management Area which was designated in 2015. In 2024 following discussions with the district council the applicant was advised that any submission must be accompanied by an Air Quality Assessment Report which must include the impact of air quality at receptor locations within the proposed development but must also consider the impact of additional movements associated with the proposed development on levels within the Air Quality Management Area. Any appropriate mitigation measures relating to Air Quality may need to be included within a Section 106 Agreement.
- 9.90. Consequently, the application is accompanied by an Air Quality Assessment Report produced by Create Consulting Engineers on behalf of the applicant. The report concludes that during the construction phase of the development there is the potential for air quality impacts because of fugitive dust emissions from the site. Assuming that good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by construction phase activities was predicted to be negligible. For all pollutants modelled, the development will have negligible impact on the existing receptors within the AQMA and on future users, in line with EPUK-IAQM guidance. The modelled results show predicted annual mean NO₂, PM₁₀ and PM_{2.5} concentrations at all receptor

locations were below the relevant AQO in the future year scenario, 2030. The location is therefore considered suitable for the proposed use without the implementation of mitigation techniques for these pollutants.

- 9.91. The report has been assessed by Environmental Protection who advise that the content and findings are acceptable. It is therefore considered that there is unlikely to be any additional adverse impact on air quality as a consequence of the development. The development is therefore in accordance with the NPPF and associated legislation in this respect.

Mitigation of Infrastructure Impacts

- 9.92. Due to the scale and residential nature of the proposed development, it is considered that the proposal is likely to place additional demand on existing facilities and services and local infrastructure, including schools, community halls, public transport, play provision, open space and health. Affordable housing will also need to be secured as part of the development. The proposals generate a need for infrastructure contributions to be secured through a planning obligation to mitigate these impacts and enable the development to proceed. In respect of planning obligations, the NPPF advises at paragraph 58 that they should only be sought where they meet the following tests.

- Necessary to make the development acceptable in planning terms
- Directly related to the development, and
- Fairly and reasonably related in scale and kind to the development

- 9.93. Policy INF1 of the adopted Cherwell Local Plan 2011-2031 states that development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, health, social and community facilities. Contributions can be secured via a Section 106 Agreement provided they meet the tests of Regulation 122 of the Community Infrastructure Regulations 2010.

- 9.94. Officers are seeking the agreement of Planning Committee to secure the following Heads of Terms in the S106.

District Requirements

- 30% affordable housing provision on site
- Maintenance costs of attenuation
- LAP provision on site together with maintenance costs
- Public open space provision on site together with maintenance costs
- Outdoor sport contribution for residential dwellings
- Indoor sport contribution for residential dwellings
- Community facilities contribution
- Public art contribution
- Bins and recycling contribution

- BNG and HMMP
- BOBICB contribution of £133,210 towards the creation of additional clinical capacity at Montgomery House Surgery or an identified primary care estates project in the local area to serve the development.
- Monitoring costs

OCC Requirements

- Highway works of £130,000 towards widening bridge to the north of the site along Oxford Road
- Public Transport Services to extend the operation of the bus service of £127,375.60
- Traffic Regulation Order - £4,224 for proposed yellow lines along Wincanton Road
- Travel Plan Monitoring for care home of £3,347
- Safeguarding a strip of 1m wide strip of land to assist in facilitating future active travel infrastructure along Oxford Road (refer to Dwg No TOR-PP002 Rev E)
- Secure and deliver pedestrian/cycle connections to the external network (refer to Dwg No TOR-PP002 Rev E)
- Secondary Education £791,863
- Special Education £70,823
- Household Waster and Recycling Centre £7,452
- Monitoring Costs

9.95. It is considered that the above requirements meet the relevant tests and are necessary to ensure that the development proposed would not have a detrimental effect on local amenity and the quality of the environment and the need to ensure that all new development is sustainable as required by the Development Plan and Government advice in the NPPF.

10. PLANNING BALANCE AND CONCLUSION

10.1. The overall purpose of the planning system is to seek to achieve sustainable development as set out in the Framework. The three dimensions of sustainable development must be considered in order to balance the benefits against the harm.

10.2. The proposed development is located within the built-up limits of Bicester, close to existing services and is also part of a sustainable urban extension granted consent in 2008 under the Non-Statutory Cherwell Local Plan, with a later extension granted permission in 2017. The development will boost the delivery of housing within the district, including the delivery of affordable housing and elderly care on a highly sustainable site. In the absence of a five year housing land supply, these benefits weigh significantly in favour of the scheme.

- 10.3. The development would result in the loss of the healthcare site. However the land has been available and no GP practice has pursued opportunities to propose delivery of a health facility on the site. In addition, the ICB have now not objected to the loss of the site for healthcare and have sought a proportionate contribution towards improvements to health facilities elsewhere in Bicester. As such, it is not considered necessary to continue to resist alternative development on the site. Indeed the proposed care home aligns to the opportunity for care on this site.
- 10.4. The site has been considered acceptable in all other respects subject to planning conditions and a s106 and in the absence of consultee objection, the benefits to deliver the scheme would significantly and demonstrating outweigh any adverse impacts that the scheme would result in.
- 10.5. Accordingly, having regard to the above, it is considered that the proposals complies with the development plan and NPPF and is considered to be acceptable sustainable development.

11. RECOMMENDATION

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

- i. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- ii. 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 MITIGATION SET OUT AT PARAGRAPH 9.94 (AND ANY AMENDMENTS AS DEEMED NECESSARY).**

FURTHER RECOMMENDATION: THE STATUTORY DETERMINATION PERIOD FOR THIS APPLICATION EXPIRES ON 10 April 2026 IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED AND THE PERMISSION IS NOT ABLE TO BE ISSUED BY THIS DATE AND NO EXTENSION OF TIME HAS BEEN AGREED BETWEEN THE PARTIES, IT IS FURTHER RECOMMENDED THAT THE ASSISTANT DIRECTOR FOR PLANNING IS GIVEN DELEGATED AUTHORITY TO REFUSE THE APPLICATION FOR THE FOLLOWING REASON:

- 1. In the absence of a signed unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure provisions and contributions related to affordable housing, open space, highways, education, health and other social infrastructure, necessary to make the impacts of the development acceptable in planning terms. The proposal therefore runs contrary to Policies, BSC 3, BSC 7, BSC8, BSC 10-12, SLE 4 INF1 of the Cherwell Local Plan (2015) and Policies CSD 22-23, COM 2, COM 15 -17 COM 20-21, COM 23-24 of the Cherwell Local Plan Review (2042), Cherwell District Council's Developer Contributions Supplementary Planning Document (2018) and Government guidance within the National Planning Policy Framework.**

CONDITIONS

Time Limit

- 1. The development to which this permission relates in respect of the proposed**

access into the site shall be begun not later than the expiration of three years beginning with the date of this permission.

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

2. Application for the approval of all reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England) Order 2025 (as Amended).

3. Details of the layout, scale appearance, access and landscaping (hereafter referred to as the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and Article 6 of the Town and Country Planning (Development Management Procedure (England) Order 2015 (as amended).

Compliance with Plans

4. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans and documents: Air Quality Assessment Rev C dated April 2025; Arboricultural development Statement dated May 2025; Habitat Maintenance Management Plan; Biodiversity Net Gain Assessment; Ecological Impact Assessment dated May 2025; Ecology Note dated 15th August 2025; Ecology Technical Note produced by EDP dated 2nd October 2025; Foul and Surface Water Drainage Strategy Rev D; Energy and Sustainability Statement Noise Impact Assessment Rev E; Transport Statement; Transport Statement Addendum Rev I dated October 2025; Flood Risk Assessment Rev C; Planning Statement; Amended Design and Access Statement; Design Code Version 3; Drawing Numbers: Layout drawing 180601 U19C-SK011; 874/02/709/D; Turning and Swept Path Analysis PD04 Rev A; Red Line boundary PPoo1 Rev A; Site Location Plan; Blue Line boundary; Illustrative Masterplan; Parameter Plans – land use, residential and building heights; swept path analysis refuse PD03 AT01.

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

5. No part of the development hereby permitted shall take place until a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's Land Contamination Risk management (LCRM) and has been submitted to and

approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason; To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance within the National Planning Policy Framework.

6. If a potential risk from contamination is identified as a result of the work carried out under condition 5 above, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM) and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is 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 within the National Planning Policy Framework.

7. If contamination is found by undertaking the work carried out under condition 6 above, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency/s Land Contamination Risk Management (LCRM) and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is 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 within the National Planning Policy Framework.

8. If remedial works have been identified in condition 7 above, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 7. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is 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 within the National Planning Policy Framework.

9. Prior to the commencement of the development, an odour impact assessment following the IAQM Guidance on the assessment of odour for planning (latest version) will be required due to the proximity of the proposed development to the nearby commercial food premises and service station. Should mitigation be required the approved system shall be installed and operated in accordance with the approved scheme at all times the building is in use for the purposes hereby permitted.

Reason: To protect the amenities of nearby residents and the character of the area and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

10. Prior to the first use of the development hereby approved, details of the external 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 first use of the development hereby approved the lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: In the interests of visual amenity and highway safety and to protect the amenities of nearby residents and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

11. No development shall be occupied until confirmation has been provided that either:
- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
 - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

12. Construction shall not begin 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 be subsequently be implemented in accordance with the approved details before the development is completed. 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 drainage design 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 connection into third party drainage systems

Reason: To ensure development does not increase the risk of flooding elsewhere, in accordance with Paragraph 155 of the National Planning Policy Framework and Local and National Standards.

13. 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:

- as built plans in both .pdf and .shp file format
- photographs to document the completed installation of the drainage structure on site
- the name and contact details of any appointed management company information

Reason: In order to avoid adverse environmental impact upon the community and to ensure compliance with Policy ESD 6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework.

14. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority'

Reason: To safeguard the recording of archaeological matters within the site in accordance with the NPPF 2024.

15. Following the approval of the Written Scheme of Investigation referred to in condition 14, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason: to safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF 2024.

16. Prior to first occupation a Travel Plan Statement and Residential Travel Information Pack which shall meet the criteria contained within the template in appendix 4 of the OCC guidance document Transport for New Developments – Transport Assessments and Travel Plans March 2024, shall be submitted to and approved in writing by the Local Planning Authority. The Residential Travel

Information Pack shall be distributed to all residents at the point of occupation, the development shall be occupied thereafter in accordance with the approved Travel Plan.

Reason: In the interest of sustainability and to ensure all residents and employees are aware from the outset of the travel choices available to them and in accordance with Government guidance within the National Planning Policy Framework

17. Prior to first occupation a full Travel Plan for the care home shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be updated within 3 months of full occupation once a robust survey opportunity is available and submitted to and agreed in writing by the Local Planning Authority. The content of the travel plan should meet the criteria contained within appendix 5 of the OCC guidance document. The development shall thereafter be occupied in accordance with the approved Travel Plan.

Reason: In the interests of sustainability and to accord with Government guidance within the National Planning Policy Framework.

18. Prior to first occupation, a Service and Delivery Management Plan for the care home shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Service and Delivery management plan.

Reason: In the interest of highway safety and to accord with Government guidance within the National Planning Policy Framework.

19. Prior to the commencement of any development on the site, a Construction Environment and Traffic Management Plan (CETMP) shall be submitted to and approved in writing by the Local Planning Authority. The CETMP shall include the following:

- details of wheel cleaning/wash facilities, to prevent mud from being carried onto the adjacent highway by vehicles
- contact details of the Project Manager and Site supervisor responsible for on-site works
- details of how appropriately trained banksmen will be used for guiding vehicles and unloading
- details of where staff and visitors to the construction site will park
- details of times for deliveries to and the removal of materials from the site
- layout plan of the site that shows haul roads, site storage, compound and pedestrian routes
- Measures to control the emission of dust and dirt during construction;
- Delivery, demolition and construction working hours;

The development shall be undertaken in accordance with the approved CETMP.

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, and in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

20. No development shall commence unless and until full details of the means of

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 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 within the National Planning Policy Framework.

21. The vision splays shall not be obstructed by any object, structure, planting or other material of a height exceeding 0.6m measured from the carriageway level.

Reason: In the interest of highway safety and to comply with government guidance within the National Planning Policy Framework.

22. 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 within the National Planning Policy Framework.

23. Prior to the first occupation of the development, a scheme for the provision of vehicular 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 SLE4, ESD1, ESD3 and ESD5 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.

24. No development shall commence until a Biodiversity Method Statement or Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures approved shall be carried out prior to first occupation of the development and shall thereafter be retained in full accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

25. No development shall commence (including demolition, ground works, vegetation clearance) unless and 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

- risk assessment and mitigation of potentially damaging construction activities

- identification of 'Biodiversity Protection Zones'
- 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)
- the location and timing of sensitive works to avoid harm to biodiversity features
- the times during construction when specialist ecologists need to be present on site to oversee works
- responsible persons and lines of communication
- the role and responsibilities on site of an ecological clerk of works or similarly competent person
- 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.

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 within the National Planning Policy Framework.

26. Prior to the commencement of development a lighting design for bats as detailed in the Ecological Impact Assessment Section 7 shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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 within the National Planning Policy Framework.

27. The care home hereby approved shall be a C2 use only in accordance with the application submitted.

Reason: To ensure that the development is carried out in accordance with the submission and ensure the provision of sufficient infrastructure in accordance with government guidance within the NPPF.

28. The reserved matters applications shall be accompanied by a detailed energy and sustainability report which sets out the energy and water efficiency proposals for the development. The development shall be carried out in accordance with the approved document.

Reason: In the interests of sustainability and to accord with Policy ESD3 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.