

# EDGARS

## Planning, Design and Access Statement

New Technical Site, Bicester Heritage, Bicester, OX26 5HA

Prepared for: Bicester Motion

February 2020

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Appendix 1 – Bicester Motion Planning History

Appendix 2 – Application 18/01333/F Decision Notice

Appendix 3 – 19/02275/F Decision Notice



# 1 Introduction

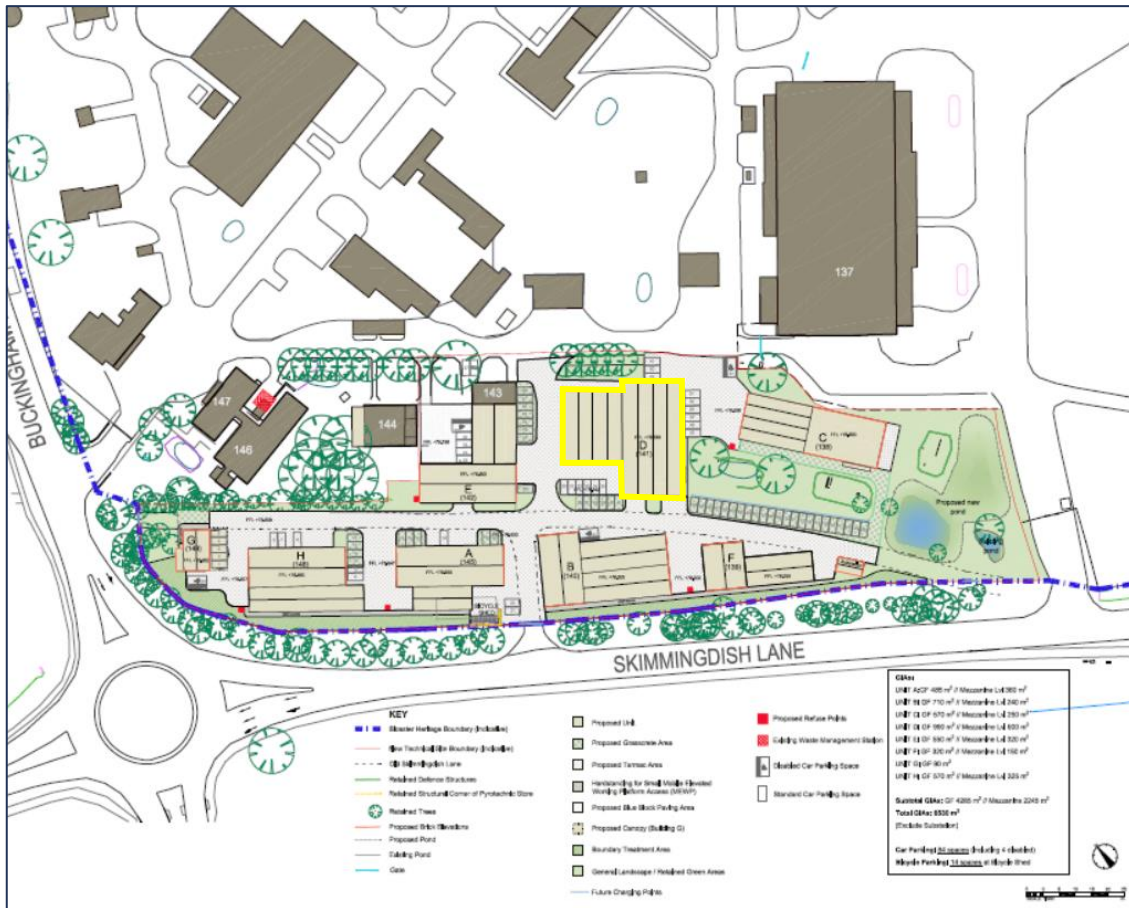
- 1.1 This planning statement has been prepared by Edgars on behalf of Bicester Motion Limited for the variation of planning permission 19/02275/F to allow the B1(a) (Business) use at the New Technical Site within the Bicester Heritage development parcel at Bicester Motion, Buckingham Road, Bicester, OX27 5HA.
- 1.2 The planning application comprises the following documents:
- Application forms;
  - Site Plan;
  - Site Location Plan; and
  - Planning, Design and Access Statement (this document).
- 1.3 The following sections of this planning statement consider:
- The site and surrounding area;
  - Relevant planning policy including the Development Plan, NPPF, and other key documents;
- 1.4 Within that context, the statement concludes that the proposed development is acceptable in planning terms in accordance with the Development Plan and wider presumption in favour of sustainable development.



## 2 Site and Surrounding Area

- 2.1 Bicester Heritage is 2.4km (1½ miles) north/north east of the centre of the market town of Bicester. The application site is shown in Figure 1 below, which forms the New Technical Site at Bicester Heritage (former RAF Bicester).

Figure 1: Site Location Plan



### Application Site

- 2.2 The application site is the New Technical Site at Bicester Heritage. The extant consent (19/02275/F) provides for new employment space comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution), which is currently under construction.
- 2.3 The site comprises Previously Developed Land which is now under construction. The site is in Flood Zone 1 with a low probability of flooding. The site is adjacent to a Local Wildlife Site (LWS) to the east. A Site of Special Scientific Interest (SSSI) is 1km to the north east of the site. The site is not in Green Belt and is not in an Area of Outstanding Natural Beauty (AONB).

### Bicester

- 2.4 Bicester is identified in the 2011 Census as having a population of 32,642 having grown rapidly during the previous 50 years. The town is identified as being less sensitive in landscape terms than other towns in the district and is a focus for economic growth.



- 2.5 Bicester's economy is focused on storage and distribution, food processing, and motorsport engineering. Most of the employment in Bicester is in the distribution and manufacturing sectors. Previously, before closure, MOD activities at Former RAF Bicester also contributed to the economy of the town.
- 2.6 The town is well-connected by road and rail. It has good infrastructure and significant investment is either being delivered or planned. Bicester is approximately 14 miles from Oxford. The good connectivity, close-proximity and relationship with Oxford helps Bicester by creating opportunities for economic development. Bicester is also well-connected to and influenced by the Chilterns, M25 corridor and London markets.
- 2.7 The Economic Development Strategy for Cherwell identifies opportunities for Bicester to develop a knowledge economy around existing and new employers, sectors and clusters to create a centre of expertise and competitive advantage.
- 2.8 The strategy's vision for Bicester identifies the expansion of the knowledge economy to encompass other areas of innovation and connections to local industry – an example suggested is the motorsport engineering strengths.
- 2.9 Bicester is located at the focal point of a corridor of motorsport engineering expertise with 7 Formula 1 teams, and 7 tier 1 motorsport teams and suppliers located within 30 miles. Approximately 15 centres of motor manufacturing excellence are also located within 40 miles.

#### **Bicester Heritage and Bicester Motion**

- 2.10 Now forming a core component of Bicester Motion, Bicester Heritage is a business park dedicated to historic motoring excellence (UK's 1st) comprising a hub of successful highly specialist businesses. Bicester Heritage Ltd. purchased the technical site and flying field in 2013 and since then have embarked on a meticulous, detailed and carefully considered redevelopment of the site.
- 2.11 It has been achieved through a carefully considered restoration of the Technical Site, complemented by its extension through the well-designed and constructed New Technical Site and the equally well-designed hotel proposal. This is also reflected in the planning history for the site that demonstrates the high quality of development.
- 2.12 The New Technical Site continues the success of the wider site. The development has attracted national and international attention from media and businesses and will act as an expansion of the historic Technical Site, complementing the existing premises.
- 2.13 Once fully operational the NTS will provide the opportunity to attract at least 9 new businesses to the site and to create further job opportunities in the locality. Bicester Motion are in discussions with prospective occupiers of the buildings and are in the process of agreeing leases with new businesses and those already existing on the site which are looking to expand whilst remaining on the site.
- 2.14 Development at the site has been delivered through a collaborative planning approach with Cherwell District Council, Oxfordshire County Council and Historic England. The parties worked together to create the second only Heritage Partnership Agreement in the UK.
- 2.15 Development delivered through the HPA at Bicester Heritage has been consistently of high quality



and the site was removed from the Heritage at Risk Register in 2015. Furthermore, the relationship has continued through the masterplan proposals with thorough pre-application discussions resulting in high quality development proposals at the site.

- 2.16 Beyond the success identified above, Bicester Heritage also attracts thousands of people that regularly attend the events held each year. Bicester Heritage has made a significant contribution to the economy of the town and wider district since its inception in 2013 and will continue to do so through the creation of high-quality and welcoming places.



### 3 Relevant Planning History

- 3.1 Having reviewed the online records held by Cherwell District Council, the most relevant planning history to the development proposal is outlined in the table below.
- 3.2 The approved permissions that have been implemented have been delivered to a high standard. It is noted that the site has an extensive planning history since disposal from military use and ownership took effect. A more detailed planning history is outlined in Appendix 1.

Figure 2 – Summary of Relevant Planning History

Reference	Description	Decision	Date
19/02431/DISC	Discharge of Condition 7 (training and employment plan) of 18/01333/F	Permitted	31/12/19
<b>19/02275/F</b>	<b>Variation of condition 2 (plans) of 18/01333/F - A number of changes to approved plans are required to deliver the proposed buildings. The changes include minor alterations to the fenestration of the buildings.</b>	<b>Permitted</b>	<b>31/01/20</b>
19/02050/F	Erection of a new substation	Permitted	15/11/19
19/01853/DISC	Discharge of condition 6 (surface water drainage) of 18/01333/F	Permitted	22/11/19
19/01016/F 19/01017/LB	Change of use of Building 113 to mixed storage (B8) and assembly and leisure (D2).	Withdrawn	26/07/19
19/01014/F 19/01015/LB	Change of use of Building 89 to offices (B1).	Permitted	26/07/19
19/00145/F	Change of Use of Building 81 and 97 from Sui Generis MOD Use to workshops (B2) and/or light industrial (B1(c)) and/or motor sales showroom (Sui Generis) with associated external alterations to buildings. Addition of a brick enclosure adjacent to Building 146 for bin storage and alteration to existing door/window to create access to WC. Alteration to 2no former tank housing to create bin storage. Extension to car parking area; alteration to circulation routes and removal of 3no trees. Alteration of 2no. former tank housing to create additional bin storage.	Permitted	10/04/19
19/00146/LB	Addition of a new brick enclosure adjacent to Building 146 to create bin storage and alterations to existing door and window to create access to an accessible WC.	Permitted	10/04/19
19/00122/F	The repair, partial rebuild, extension and alteration of Building 144 (currently derelict) and change of use from Sui Generis MOD Use to Class A3 Use to create a new	Permitted	04/04/19



	on-site cafe as part of the RAF Bicester Technical Site redevelopment		
19/00017/LB	Insertion of disabled access panic release fire escape doors within existing opening to the western elevation of Building 113.	Permitted	21/02/19
19/00004/F	External alterations and change of use of Building 103 (Link Trainer) for educational purposes (D1) in connection with the expansion of the heritage skills academy	Permitted	21/02/19
<b>18/01333/F</b>	<b>Extension to existing Technical Site to provide new employment units comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution) uses with ancillary offices, storage, display and sales, together with associated access, parking and landscaping.</b>	<b>Permitted</b>	<b>03/09/19</b>
18/00061/SO	Screening opinion to 18/01333/F - Extension to existing Technical Site to provide new employment units comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution) uses with ancillary offices, storage, display and sales, together with associated access, parking and landscaping.	Screening Opinion not requesting EIA	16/08/18

3.3 The most relevant planning history can be summarised as follows:

- Application 18/01333/F (Appendix 2) was approved on 3rd September 2019 for the extension to existing Technical Site to provide new employment units comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution) uses with ancillary offices, storage, display and sales, together with associated access, parking and landscaping.
- Application 18/01333/F was unanimously supported by Cherwell District Council planning committee and subsequently approved under officer delegated powers. The economic benefits of the proposal, alongside the sensitive design of the proposed new buildings was recognised and supported. The principle of employment uses, including B1, B2 and B8 on the site have been established.
- Application 19/02275/F (Appendix 3) was approved 31st January 2020 for the variation of condition 2 (plans) of 18/01333/F - A number of changes to approved plans are required to deliver the proposed buildings. The changes include minor alterations to the fenestration of the buildings.

3.4 In conclusion, the principle of employment uses, including B1(c), B2 and B8, on the site have been established and the economic benefits of harnessing and supporting the motorsport industry have been recognised by Cherwell District Council. These complement the existing use of the site for highly skilled employment which is demonstrated by the wider site’s planning history.





## 4 Relevant Planning Policy

4.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

4.2 The relevant documents of the Development Plan comprise:

- Cherwell Local Plan 2011-2031: Part 1
- Saved Policies of the Cherwell Local Plan 1996

4.3 The following are identified as material considerations:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Bicester Heritage – Heritage Partnership Agreement (2014)
- RAF Bicester Planning Brief and Draft Development Principles (2009)
- RAF Bicester Conservation Area Appraisal (November 2008)

### **National Planning Policy Framework (NPPF) (February 2019)**

4.4 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. The chapters and paragraphs of the NPPF identified as of particular relevance to this proposal are identified in this section below.

4.5 **Paragraph 8** states that the planning system has three overarching objectives:

- **Economic:** to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- **Social:** to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- **Environmental:** to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.6 **Paragraph 11** states that policies in Local Plans should follow the approach of the presumption in



favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.

- 4.7 **Paragraph 15** states that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.
- 4.8 **Chapter 6 (Building a Strong, Competitive Economy)** states, in **paragraph 80**, that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.
- 4.9 **Paragraph 81** states that policies should be flexible enough for needs not anticipated in the plan, allow for new and flexible working practices and to enable a rapid response to changes in economic circumstances.
- 4.10 **Paragraph 82** states that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitable accessible locations.
- 4.11 **Chapter 16 (Conserving and Enhancing the Historic Environment)** states, in **paragraph 185**, that plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

#### **Cherwell Local Plan 2011-2031: Part 1**

- 4.12 The Cherwell Local Plan 2011-2031: Part 1 aims to link three themes together; the economy, communities, and sustainable development and seeks provide a proactive, positive set of policies to help places thrive, to deliver essential and longer-term infrastructure and achieve development that will improve the quality of life in the District.
- 4.13 The plan states the Council is seeking to achieve sustainable economic growth and aim to create jobs; to significantly boost housing supply in targeted, sustainable locations. The most relevant policies to this application are identified and summarised below.
- 4.14 **Policy PSD1 – Presumption in Favour of Sustainable Development:** is a continuation of the NPPF and outlines a presumption in favour of sustainable development.
- 4.15 **Policy Bicester 8 – Former RAF Bicester:** allocates the former RAF Bicester (including the Technical Site, Flying Field and Domestic Site) for heritage tourism, leisure, recreation, employment and community uses. The development of hotel and conference facilities will also be supported as part of a wider package of employment uses.
- 4.16 **Bicester 8** supporting text indicates that the Planning Brief indicates that employment uses on the technical site could be appropriate and identifies a range of other uses including aviation, museum, cultural, sport and community uses.



- 4.17 **Policy SLE1 – Employment Development:** focuses employment development on sites at Banbury, Bicester, Kidlington. It also outlines a set of criteria to support employment proposals. Support shall be given to proposals that make efficient use of previously developed land wherever possible, make efficient use of existing and underused sites and premises increasing the intensity of use on site and meets high design standards, using sustainable construction and of an appropriate scale and respects the character of its surroundings.
- 4.18 **Policy SLE4 – Improved Transport Connections:** states that all development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling.
- 4.19 **Policy INF 1 – Infrastructure:** states that the Council will identify required infrastructure and work with partners to ensure delivery.
- 4.20 **Policy ESD 15 – Character of the Built and Historic Environment:** states successful design is founded upon an understand and respect for an area's unique context.

#### **Bicester Heritage – Heritage Partnership Agreement (October 2014)**

- 4.21 The document aims to provide a blanket vision for the site acquired by Bicester Heritage. The HPA considers the history of the site, site constraints and opportunities, the Bicester Heritage business plan, and economic considerations. It is relevant as background information.

#### **RAF Bicester Planning Brief (September 2009)**

- 4.22 Notwithstanding that the brief is not a Supplementary Planning Document (SPD), the document is identified as a material planning consideration. The Planning Brief contains informal development principles drafted prior to disposal of the site by the MOD. The site was considered to be in a poor state of repair and the planning brief was drafted within that context. Having regard to the above and the planning history of the site, the planning brief is of limited weight in the consideration of this application.



## 5 Proposal and Use

- 5.1 The proposed development for the variation of planning permission 19/02275/F to allow the B1(a) (Business) use at the New Technical Site within the Bicester Heritage development parcel at Bicester Motion, Buckingham Road, Bicester, OX27 5HA.
- 5.2 The success of the existing Technical Site and New Technical site is gaining further recognition of Bicester as the centre of 'motorsport valley'. Motorsport UK (MSUK), the motorsport governing body in this country, have chosen Bicester Motion for their new headquarters. It is known that building 141 has a floorspace of 1590sqm which Motorsport UK are taking a lease on.
- 5.3 MSUK is the national membership organisation and governing body for four-wheel motorsport in the UK, representing competitors, volunteers, clubs and fans. MSUK is a member focused organisation which embraces a diverse community.
- 5.4 Their mission is to inspire and enable more people to participate in motor sport in a safe, fair, fun, inclusive and progressive environment and to use their reach and influence to create a sustainable future for the sport. Their values are ambition, integrity, collaboration and commitment.
- 5.5 Looking to the future MSUK have a clear plan to grow the sport through four pillars of investment. This includes member and club development, promotion of the sport by inspiration, sport development and innovation through progressive formats, events and technologies, and education and training to ensure marshals and competitors are world leading in their expertise.
- 5.6 Motorsport UK currently employ around 60 people within their organisation. They are looking to create their UK building within building 141 that can be used as office space and host guests in an environment that offers a welcoming and impressive presence that is aligned with the Motorsport UK brand.
- 5.7 They employ people in finance, membership services, Safety, Events, Education and Training, IT, Legal and admin so with potential future growth there will be employment opportunities created across a wide-ranging spectrum of professions as well as the creation of inspirational vocations for the next generation.
- 5.8 In locational terms, the site is ideal for delivering core business from within the heart of the motorsport valley. The building will allow for modern, largely open plan office areas with a welcome area, staff break out area and kitchen, WC's showers, staff meeting rooms and a small number of private offices – everything you would expect from a corporate HQ for an organisation of this scale.



## 6 Relevant Material Planning Considerations

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2 The proposed development for the variation of planning permission 19/02275/F to allow the B1(a) (Business) use at the New Technical Site within the Bicester Heritage development parcel at Bicester Motion, Buckingham Road, Bicester, OX27 5HA.
- 6.3 Having regard to the proposed development, the Development Plan, NPPF and planning history of the application site and wider site, the key planning considerations in respect of this application are identified as follows:
- Principle of development; and
  - Access and car parking.

### **Principle of development**

- 6.4 The application site is located within the 'New Technical Site' at the Former RAF Bicester which is allocated by Policy Bicester 8 for development in seeking to secure an economically viable future for the former RAF Bicester Technical Site and Flying Field. Policy Bicester 8 is a permissive policy supporting a range of uses including employment.
- 6.5 Having regard to the planning history for the site, the principle of employment uses on the site is established by extant application 19/02275/F (approved 31st January 2020). This made minor alterations to application 18/01333/F (approved on 3rd September 2019).
- 6.6 Application 18/01333/F was unanimously supported by Cherwell District Council planning committee. It permitted new employment units comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution) uses with ancillary offices, storage, display and sales, together with associated access, parking and landscaping.
- 6.7 Therefore, the principle of employment uses, including B1(c), B2 and B8, on the site have been established and the economic benefits of harnessing and supporting the motorsport industry have been recognised by Cherwell District Council. These complement the existing use of the site for employment which is demonstrated by the wider site's planning history.
- 6.8 The proposed development will allow for the use of building 141 for B1(a) (Business) purposes for Motorsport UK. Motorsport UK currently employ around 60 people within their organisation. They employ people in finance, membership services, Safety, Events, Education and Training, IT, Legal and admin so when combined with future growth there are likely to be substantial economic benefits associated with the new opportunities created across a wide-ranging spectrum of professions.
- 6.9 Having regard to the site's planning history, the proposed new buildings are under construction. In locational terms, the site is ideal for delivering core business from within the heart of the motorsport valley. The building will allow for modern, largely open plan office areas with a welcome area, staff break out area and kitchen, WC's showers, staff meeting rooms and a small number of private offices



– everything you would expect from a corporate HQ for an organisation of this scale.

6.10 To implement the proposed use, minor incidental changes are required involved the replacement of an overhead access door with a glass arrangement in accordance with the other fenestration of the building and the relocation of pedestrian access door. These changes are in accordance with Policy ESD15 (Character of the Built and Historic Environment), development plan and national planning policy.

6.11 Having regard to the planning history of the site, the proposed development is within an employment site which is under construction on land allocated for employment uses by Policy Bicester 8. The proposal will deliver provide an additional B1(a) (Business) employment use on a site destined for a range of B use class employment, in accordance with Policy SLE1 (Employment Development).

### **Car Parking**

6.12 The proposed use of the building will be for B1(a) business use by Motorsport UK. It is known that the proposed use will require 1590sqm of floorspace. Provision will need to be made for 53 parking spaces (1 space per 30sqm), in accordance with the Cherwell District Council Parking Standards.

6.13 Having regard to the planning history for the site, application 19/02275/F (approved 31st January 2020) provides for 84 car parking spaces within the New Technical Site.

6.14 Having undertaken a review of car parking on the site it is considered there will be a long-term need for additional parking to be provided to support the proposed use of the site and deliver the substantial economic benefits.

6.15 To minimise the impact of the additional car parking, this will need to be provided elsewhere on the site within short walking distance. This will be the subject of a concurrent planning application to secure the additional car parking. The additional car parking provision to serve the development may be secured by condition or an appropriate agreement with the applicant.

6.16 However, due to the timescales for occupation of the NTS, there is a need for a degree of flexibility and in the short to medium term the required car parking can be accommodated within the currently consented New Technical Site 84 spaces. This will allow the occupation of these buildings to come forward prior to the delivery of additional car parking. Furthermore, the proposed site for the car parking is temporarily required for logistics space associated with the fit out works on the New Technical Site buildings. Additional details will be contained in the concurrent planning application.

6.17 The site is adequately accessible by sustainable modes of travel; existing pedestrian and cycle links are located within close-proximity of the site and there are good connections with local facilities/amenities in the local area and towards Bicester Town Centre.

6.18 Bus stops are sited within a 2-minute walk to the north of the existing Bicester Heritage site access providing connections between the site, Bicester Village and Bicester Town Centre. The site is also linked to key towns and cities such as Oxford, Cambridge, Milton Keynes and Buckingham provided by the frequent half-hourly (Mon-Sun) X5 service.

6.19 In conclusion, the proposed development supports and facilitates the use of sustainable modes of transport to make the fullest use of public transport, walking and cycling. the proposed development



is in accordance with Policy SLE4 (Improved Transport Connections).

## 7 Conclusion

- 7.1 The proposed development for the variation of planning permission 19/02275/F to allow the B1(a) (Business) use at the New Technical Site within the Bicester Heritage development parcel at Bicester Motion, Buckingham Road, Bicester, OX27 5HA.
- 7.2 The application site is building 141 which is within the New Technical Site boundary. The total floorspace of the building is 990sqm at ground floor and 600sqm at the mezzanine level. The extant consent (19/02275/F) provides for new employment space comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution), which is currently under construction.
- 7.3 Application 18/01333/F was unanimously supported by Cherwell District Council planning committee and subsequently approved under officer delegated powers. The economic benefits of the proposal, alongside the sensitive design of the proposed new buildings was recognised and supported. The principle of employment uses, including B1, B2 and B8 on the site have been established.
- 7.4 Application 19/02275/F was approved 31st January 2020 for the variation of condition 2 (plans) of 18/01333/F - A number of changes to approved plans are required to deliver the proposed buildings. The changes include minor alterations to the fenestration of the buildings.
- 7.5 The proposed development will allow for the use of building 141 for B1(a) (Business) purposes for Motorsport UK. Motorsport UK currently employ around 60 people within their organisation. They employ people in finance, membership services, Safety, Events, Education and Training, IT, Legal and admin so when combined with future growth there are likely to be substantial economic benefits associated with the new opportunities created across a wide-ranging spectrum of professions.
- 7.6 Having regard to the planning history of the site, the proposed development is within an employment site which is under construction on land allocated for employment uses by Policy Bicester 8. The proposal will deliver provide an additional B1(a) (Business) employment use on a site destined for a range of B use class employment, in accordance with Policy SLE1 (Employment Development).
- 7.7 The need arises for B1(a) business use from Motorsport UK. It is known that the proposed use will require 1590sqm of floorspace. Provision will need to be made for 53 parking spaces (1 space per 30sqm), in accordance with the Cherwell District Council Parking Standards.
- 7.8 Having undertaken a review of car parking on the site it is considered there will be a long-term need for additional parking to be provided to support the proposed use of the site and deliver the substantial economic benefits.
- 7.9 The site is adequately accessible by sustainable modes of travel; existing pedestrian and cycle links are located within close-proximity of the site and there are good connections with local facilities/amenities in the local area and towards Bicester Town Centre.



7.10 In conclusion, the proposed development supports and facilitates the use of sustainable modes of transport to make the fullest use of public transport, walking and cycling. the proposed development is in accordance with Policy SLE4 (Improved Transport Connections).



# Appendices



# Appendix 1

## Bicester Motion Planning History





**Site Address: RAF Bicester, Launton, Bicester, OX26 5HA**

**Relevant Planning History:**

Reference	Description	Decision	Date
20/00112/DISC	Discharge of Condition 9 (Architectural detailing) of 19/02275/F'	Awaiting Decision	-
19/02757/SO	Outline:- Provide new employment units comprising B1 (Business), B2 (General Industrial), B8 (Storage) and DI (Education) uses with ancillary offices, storage, display and sales, with all matters reserved except for access	Screening Opinion not requesting EIA	21/01/20
19/02708/OUT	Outline:- Provide new employment units comprising B1 (Business), B2 (General Industrial), B8 (Storage) and D1 (Education) uses with ancillary offices, storage, display and sales, with all matters reserved except for access	Awaiting Decision	-
19/02472/DISC	Discharge of condition 20 (Foul drainage design report) of 18/01333/F	Permitted	24/01/20
19/02431/DISC	Discharge of Condition 7 (training and employment plan) of 18/01333/F	Permitted	31/12/19
19/02275/F	Variation of condition 2 (plans) of 18/01333/F - A number of changes to approved plans are required to deliver the proposed buildings. The changes include minor alterations to the fenestration of the buildings.	Permitted	31/01/20
19/02050/F	Erection of a new substation	Permitted	15/11/19
19/01853/DISC	Discharge of condition 6 (surface water drainage) of 18/01333/F	Permitted	22/11/19
19/01147/F	Construction of a new timber framed car port within the existing car parking area	Permitted	15/11/19
19/01016/F 19/01017/LB	Change of use of Building 113 to mixed storage (B8) and assembly and leisure (D2).	Withdrawn	26/07/19
19/01014/F 19/01015/LB	Change of use of Building 89 to offices (B1).	Permitted	26/07/19



19/00145/F	Change of Use of Building 81 and 97 from Sui Generis MOD Use to workshops (B2) and/or light industrial (B1(c)) and/or motor sales showroom (Sui Generis) with associated external alterations to buildings. Addition of a brick enclosure adjacent to Building 146 for bin storage and alteration to existing door/window to create access to WC. Alteration to 2no former tank housing to create bin storage. Extension to car parking area; alteration to circulation routes and removal of 3no trees. Alteration of 2no. former tank housing to create additional bin storage.	Permitted	10/04/19
19/00146/LB	Addition of a new brick enclosure adjacent to Building 146 to create bin storage and alterations to existing door and window to create access to an accessible WC.	Permitted	10/04/19
19/00122/F	The repair, partial rebuild, extension and alteration of Building 144 (currently derelict) and change of use from Sui Generis MOD Use to Class A3 Use to create a new on-site cafe as part of the RAF Bicester Technical Site redevelopment	Permitted	04/04/19
19/00017/LB	Insertion of disabled access panic release fire escape doors within existing opening to the western elevation of Building 113.	Permitted	21/02/19
19/00004/F	External alterations and change of use of Building 103 (Link Trainer) for educational purposes (D1) in connection with the expansion of the heritage skills academy	Permitted	21/02/19
18/02191/LB	The removal of 2no windows for replacement with new doors for vehicle access, extension of the external hardstanding and removal of internal partition walls	Permitted	21/02/19
18/01333/F	Extension to existing Technical Site to provide new employment units comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution) uses with ancillary offices, storage, display and sales, together with associated access, parking and landscaping.	Permitted	03/09/19
18/01253/F	Erection of hotel and conference facility with associated access, parking, and landscaping	Awaiting Decision	-



18/01202/F	Application for planning permission for installation of a replacement LPG tank for Bicester Gliding Centre	Permitted	17/09/18
18/01127/LB	Internal works to form washing and changing facilities for Gliding Centre	Permitted	19/09/18
18/00140/NMA	Change of specification from metal to timber windows to match adjacent buildings (proposed as Non Material Amendment to 17/01847/F)	Permitted	11/12/18
18/00061/SO	Screening opinion to 18/01333/F - Extension to existing Technical Site to provide new employment units comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution) uses with ancillary offices, storage, display and sales, together with associated access, parking and landscaping.	Screening Opinion not requesting EIA	16/08/18
18/00044/SO	Request for a screening opinion for proposed erection of new building to provide a hotel and conference facility with associated parking and landscaping.	Screening Opinion not requesting EIA	25/06/18
17/02490/F	Variation of condition 8 (permitted uses) to include B1c (light industrial use), sui generis (showroom/workshop use) and ancillary A3 use to building 129 (retrospective); and variation of conditions 16 and 17 (to revise the timeframe for the installation of the new access) of planning permission 17/02312/F.	Permitted	04/05/18
17/02312/F	Variation of Condition 14 of 16/01805/F - For Buildings 131 and 135 only.	Permitted	09/02/18
17/00541/DISC	Discharge of Condition 4 (plans for buildings 129 and 131) of 16/01806/LB.	Permitted	21/12/17
17/00540/DISC	Discharge of Condition 4 (plans for buildings 129 and 131) of 16/01805/F	Permitted	21/12/17
16/01806/LB	Physical works to buildings 79, 108, 113, 123, 129, 130, 131, 135 and 137 to enable restoration and conversion to commercial use.	Permitted	25/09/17
16/01805/F	Change of use of buildings from sui generis MOD use to various commercial uses as detailed in accompanying Planning Statement with associated	Permitted	26/09/17



	physical works and demolition of buildings 101 and 104 and erection of replacement structures		
15/00820/F	Change of use of building 105 from sui generis MOD use to class B1 workshops and offices, class B8 storage and ancillary class A1 use for the sale of heritage motoring and aviation goods to include associated equipment, supplies, sundries, memorabilia and literature.	Permitted	25/02/16
15/00616/F	Variation of Condition 2 of 14/00772/F to allow for Minor Material Amendments to approved scheme and variation of Condition 8 to enable the building to be used for B1 purposes and/or vehicle sales with ancillary residential accommodation.	Permitted	25/02/16
15/00611/F	Change of use of building 92 from MOD use (sui generis) to class B1 (office) and B8 (storage use), change of use of building 93 from MOD use to vehicle showroom (sui generis) and change of use of building 94 from MOD use to class B1 workshops and offices, class B8 storage and ancillary class A1 use for the sale of heritage motoring and aviation goods to include associated equipment, supplies, sundries, memorabilia and literature.	Permitted	25/02/16
15/00612/LB	Internal and external alterations to building 92.	Permitted	25/02/16
15/00523/F	Change of use of building from sui generis Ministry of Defence use to B1(c) light industrial use with associated internal and external alterations and landscaping.	Permitted	29/06/15
14/02065/LB	Change of use from Ministry of Defence to B1/A1 including structural repairs and alterations.	Permitted	20/02/15
14/01759/F	Change of use from Ministry of Defence to B1/A1 including structural repairs and alterations.	Permitted	30/12/14
14/01430/F	Material change of use from Ministry of Defence use to B1 use, including minor structural alterations and a new build extension.	Permitted	24/10/14
14/01448/F	Change of use from Ministry of Defence use to B1 including minor structural repairs.	Permitted	21/10/14



14/00772/F	Variation of condition 7 of 14/00209/F - To allow for wider potential usage of the approved residential accommodation.	Permitted	07/07/14
14/00454/F	Material change of use of Ministry of Defence workshop use to office and workshop use.	Permitted	13/05/14
14/00209/F	Change of use from Ministry of Defence workshop to office and ancillary residential use. The development will include minor alterations to the existing structure as indicated on the proposed plans and a general refurbishment of the existing building.	Permitted	11/05/14
13/01774/F	Change of use from Ministry of Defence (sui generis) use to B1 use (Building 87).	Permitted	16/01/14
07/00447/F	Alterations to entrance gate off Skimmingdish Lane to improve safety.	Permitted	14/05/07
05/00017/SO	Screening Opinion - Proposed Redevelopment	Screening Opinion – Proposed Redevelopment	10/06/05

# Appendix 2

Application 18/01333/F Decision Notice







# NOTICE OF DECISION

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

**Name and Address of Agent/Applicant:**

Edgars Limited  
Mr Jon Westerman  
The Old Bank  
39 Market Square  
Witney  
OX28 6AD

**Date Registered:** 24th July 2018

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**Proposal:** Extension to existing Technical Site to provide new employment units comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution) uses with ancillary offices, storage, display and sales, together with associated access, parking and landscaping

**Location:** Bicester Heritage, Buckingham Road, Bicester

**Parish(es):** Launton

### PERMISSION FOR DEVELOPMENT SUBJECT TO CONDITIONS AND SUBJECT TO A S106 PLANNING AGREEMENT

Cherwell District Council, as Local Planning Authority, hereby **GRANTS** planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information **SUBJECT TO THE CONDITIONS SET OUT IN THE ATTACHED SCHEDULE.**

The reason for the imposition of each of the conditions is also set out in the schedule.

Cherwell District Council  
Bodicote House  
Bodicote  
BANBURY  
OX15 4AA

A handwritten signature in black ink that reads "Robert Jolley".

Robert Jolley  
Assistant Director for Planning and Economy

**Date of Decision:** 03<sup>rd</sup> September  
2019

**Checked by:** Alex Keen

## SCHEDULE OF CONDITIONS

### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

#### Statutory Time Limit

1. The development hereby permitted 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.

#### Approved Plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans listed below unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended):

- 5002855-RDG-XX-ST-PL-A-0003 Rev H – Proposed Site Plan
- 5002855-RDG-Z1-00-PL-A-0100 Rev B – Building A Proposed Ground Floor Plan
- 5002855-RDG-Z1-M0-PL-A-0110 Rev B – Building A Proposed Mezzanine Level Plan
- 5002855-RDG-Z1-RF-PL-A-0120 Rev B – Building A Proposed Roof Plan
- 5002855-RDG-Z1-XX-EL-A-0130 Rev B – Building A Proposed Elevations
- 5002855-RDG-Z2-00-PL-A-0100 Rev B – Building B Proposed Ground Floor Plan
- 5002855-RDG-Z2-M0-PL-A-0110 Rev B – Building B Proposed Mezzanine Level Plan
- 5002855-RDG-Z2-RF-PL-A-0120 Rev B – Building B Proposed Roof Plan
- 5002855-RDG-Z2-XX-EL-A-0130 Rev B – Building B Proposed Elevations
- 5002855-RDG-Z3-00-PL-A-0100 Rev B – Building C Proposed Ground Floor Plan
- 5002855-RDG-Z3-M0-PL-A-0110 Rev B – Building C Proposed Mezzanine Level Plan
- 5002855-RDG-Z3-RF-PL-A-0120 Rev B – Building C Proposed Roof Plan
- 5002855-RDG-Z3-XX-EL-A-0130 Rev B – Building C Proposed Elevations
- 5002855-RDG-Z4-00-PL-A-0100 Rev B – Building D Proposed Ground Floor Plan
- 5002855-RDG-Z4-M0-PL-A-0110 Rev B – Building D Proposed Mezzanine Level Plan
- 5002855-RDG-Z4-RF-PL-A-0120 Rev B – Building D Proposed Roof Plan
- 5002855-RDG-Z4-XX-EL-A-0130 Rev B – Building D Proposed NW and SE Elevations
- 5002855-RDG-Z4-XX-EL-A-0131 Rev B – Building D Proposed NE and SW Elevations
- 5002855-RDG-Z5-00-PL-A-0100 Rev B – Building E Proposed Ground Floor Plan
- 5002855-RDG-Z5-M0-PL-A-0110 Rev B – Building E Proposed Mezzanine Level Plan
- 5002855-RDG-Z5-RF-PL-A-0120 Rev B – Building E Proposed Roof Plan
- 5002855-RDG-Z5-XX-EL-A-0130 Rev B – Building E Proposed NE and SW Elevations

- 5002855-RDG-Z5-XX-EL-A-0131 Rev B – Building E Proposed NW and SE Elevations
- 5002855-RDG-Z6-00-PL-A-0100 Rev B – Building F Proposed Ground Floor Plan
- 5002855-RDG-Z6-M0-PL-A-0110 Rev B – Building F Proposed Mezzanine Level Plan
- 5002855-RDG-Z6-RF-PL-A-0120 Rev B – Building F Proposed Roof Plan
- 5002855-RDG-Z6-XX-EL-A-0130 Rev B – Building F Proposed NE and SW Elevations
- 5002855-RDG-Z6-XX-EL-A-0131 Rev B – Building F Proposed NW and SE Elevations
- 5002855-RDG-Z7-00-PL-A-0100 Rev B – Building G Proposed Ground Floor and Roof Plans
- 5002855-RDG-Z7-XX-EL-A-0130 Rev B – Building G Proposed Elevations
- 5002855-RDG-Z8-00-PL-A-0100 Rev B – Building H Proposed Ground Floor Plan
- 5002855-RDG-Z8-M0-PL-A-0110 Rev B – Building H Proposed Mezzanine Level Plan
- 5002855-RDG-Z8-RF-PL-A-0120 Rev B – Building H Proposed Roof Plan
- 5002855-RDG-Z8-XX-EL-A-0130 Rev B – Building H Proposed Elevations

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority.

### **Compliance with Ecological Assessment**

3. The development hereby approved shall be carried out in accordance with the recommendations set out in section 5 of the Ecological Assessment carried out by Ecological Solutions dated July 2018.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

### **Use of buildings**

4. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) (England) Order 2015 and subsequent amendments, the buildings hereby approved shall be used only for purposes falling within Class B1 (c), B2 and/or B8 as specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and for no other purpose(s) whatsoever.

Reason: In accordance with Policy Bicester 8 of the Cherwell Local Plan 2011 – 2031 Part 1.

### **Compliance with Energy Strategy**

5. The development shall be carried out in accordance with the Recommendations and Conclusions listed in section 4 of the Energy Strategy dated November 2018 which was submitted in support of the application. This will include the use of air-source heat pumps for each building alongside the implementation of energy demand reduction through the building fabric and the following measures taken by end users, unless any alternative has been previously submitted to and agreed in writing with the Local Planning Authority;

- Provision of high-efficiency internal and external lighting
- Implementation of an efficient lighting control strategy to include (where applicable):
  - photoelectric (daylight) sensing
  - occupancy presence detection
  - external lighting to be linked to daylight sensors with a timer only for provision of lighting when required
- Use of variable speed drives on pumps and fans, where applicable
- Insulation of all duct work and pipework
- Development of a metering and sub-metering building services strategy to monitor energy used within all units
- Use of highly-efficient heat recovery ventilation systems, where applicable
- Consideration of instantaneous domestic hot water (DHW) systems to reduce system standby/storage losses
- Ensuring that energy-efficient white goods are installed within the buildings

Where photovoltaic panels are to be used details shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and to accord with Policy ESD1 of the Cherwell Local Plan 2011-2031.

## **PRE-COMMENCEMENT CONDITIONS**

### **Surface Water Drainage Scheme**

6. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- Infiltration to BRE 365 (Seasonal monitoring of groundwater levels at the site)
  - SUDS (Swale, Underground Geo-Cellular Soakaway, Permeable Paving)
  - Maintenance and management of SUDS features (To include provision of a SuDS Management and Maintenance Plan)
  - Detailed drainage layout with pipe numbers
  - Network drainage calculations
  - Flood Flow Routing in exceedance conditions
  - To prevent any potential contamination of groundwater, details of a scheme of soil/leachate testing below and within the vicinity of any infiltration device
  - Details of any mitigation that is required to prevent contamination to ground-water below or surrounding any proposed infiltration device (after soil / leachate testing)

Reason: To ensure that the development is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Training and Employment Plan**

7. No construction shall take place until a Training and Employment Plan for the New Technical Site as a whole has been submitted to and approved in writing by the Local Planning Authority. As a minimum this Plan shall include the arrangements by which the applicant (or other specified persons) will provide construction (and related trades) apprenticeship starts during construction of the development hereby approved. Construction shall take place in accordance with the agreed Plan.

Reason: Paragraphs 80 and 81 of the National Planning Policy Framework support and encourage sustainable economic growth. Para B14 of the adopted Cherwell Local Plan 2011-2031 recognises that it is important to ensure the population is sufficiently skilled to attract companies and investment to Cherwell and supports proposals to strengthen the skills base of the local economy. Strategic Objective 3 of the adopted Cherwell Local Plan seeks to support an increase in skills.

### **CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

#### **Finished Floor Levels**

8. A plan showing full details of the finished floor levels in relation to existing and proposed site levels for each of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the laying of foundations for the relevant building. The proposed finished floor levels should be in accordance with the recommendations in the Flood Risk Assessment accompanying the application: Version 1.0 dated 14/12/2016. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.

Reason: To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to take into account risks from surface water flooding to comply with Policies ESD6 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies ENV1 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

#### **Materials**

9. Prior to the construction of any of the buildings hereby approved above ground level, a schedule of materials and finishes for the external walls and roof of that building (including the submission of samples) shall be submitted to and approved in writing by the Local Planning Authority. The brick samples shall be submitted by means of a sample panel (minimum 1 metre squared in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority before the commencement of the brickwork. Thereafter the development shall be carried out in accordance with the approved schedule and samples/sample panel.

Reason: To ensure the satisfactory appearance of the completed development, the visual amenities of the conservation area and the significance of the heritage asset and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **Architectural Detailing**

10. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the buildings, including the windows and doors (and their surrounds), together with the eaves and verge treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building to which they relate above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the conservation area and the significance of the heritage asset in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

### **Boundary Treatments**

11. No boundary treatments shall be erected on the site without details (including the design, position, height and materials) having been previously submitted to and approved in writing by the Local Planning Authority. The treatment shall thereafter be installed in accordance with the approved details.

Reason : To ensure that there is an appropriate integration between the application site and the existing technical site to preserve the character and appearance of the conservation and area setting of listed buildings to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, saved policy C25 of the Cherwell Local Plan 1996 and Government advice contained in the National Planning Policy Framework.

### **Lighting**

12. Details of all external lighting including the design, position, orientation, illumination and its intensity together with any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed, operated and retained in accordance with the approved scheme at all times thereafter.

Reason: In the interests of visual amenity, to preserve the character and appearance of the conservation area, to accord with the findings of the ecological survey and to comply with Policy ESD10 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

### **Signage**

13. A Signage Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any external signage (either free-standing or on buildings). The signage shall be installed in accordance with the approved scheme thereafter.

Reason : In the interests of visual amenity , to preserve the character and appearance of the conservation area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

### **Trees and Landscaping**

14. Notwithstanding the approved details a scheme for landscaping the site shall be submitted to and approved in writing by the Local Planning Authority which shall include:-

- a) details of proposed tree, hedgerow and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc.),
- b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- c) details of the hard landscaping including hard surface areas, including footpaths, pavements, pedestrian areas car parking and manoeuvring areas, reduced-dig areas, crossing points and steps,
- d) details of all tree pits,
- e) details of all refuse/recycling bins including location and compound enclosure details.

Such details shall be provided prior to any development progressing above slab level or such alternative time frame as agreed in writing with the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

## Acoustic Assessment

16. Prior to the units hereby approved being first occupied all mechanical plant or machinery to be installed within the relevant building shall be identified and assessed in accordance with BS4142:2014 and the report submitted to the Local Planning Authority for approval. Where the approved assessment identifies the need for any mitigation or acoustic enclosure full details should be agreed with the Local Planning Authority and put in place prior to the first occupation of the building.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996.

## CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OCCUPATION

### Car Parking

17. Prior to the first occupation of the development hereby approved, the 84 parking spaces and manoeuvring areas shall be provided in accordance with the approved site plan 5002855-RDG-XX-ST-PL-A-0003 Rev H and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring areas shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times. In the event that the mix of uses varies from that listed in this condition, an assessment and review of the approved car parking provision within the site shall be submitted to and agreed in writing with the Local Planning Authority and where the need for additional car parking is identified, this shall be provided in accordance with the agreed details:

- B1 (c) – 1632 sqm GIA
- B2 – 1632 sqm GIA
- B8 – 3265 sqm GIA

Reason: In the interest of highway safety, to ensure the adequate provision of off-street car parking and to avoid overspill or inappropriate parking and to comply with Government guidance contained within the National Planning Policy Framework.

### Cycle Parking

18. Prior to the first use or occupation of the development hereby approved, 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 and to ensure a satisfactory form of development, in accordance with Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1, and the Government guidance contained within the National Planning Policy Framework.

### Framework Travel Plan

19. Prior to the first occupation of the buildings hereby approved the submitted Framework Travel Plan shall be revised, resubmitted and approved in writing by the Local Planning Authority.



Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, and to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Waste Water Upgrades**

20. No buildings shall be bought into use until confirmation has been provided that either:

- a) all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- b) an infrastructure phasing plan has been agreed with Thames Water to allow additional business units to first be bought into use. Where an infrastructure phasing plan is agreed no use of the business units shall take place other than in accordance with the agreed infrastructure phasing plan.

Reason - The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents, to comply with Policy ESD8 of the Cherwell Local Plan 2011-2031 Part 1,

### **Landscape Maintenance/Management**

21. Prior to the first use of the development hereby approved, a schedule of landscape maintenance and a landscape management plan for a minimum period of 5 years, to include the timing of the implementation of the schedule, management responsibilities, maintenance schedules, details of the future management, and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **ONGOING REGULATORY CONDITIONS TO BE COMPLIED WITH AT ALL TIMES**

#### **Construction and Environment Management Plan**

22. Throughout the construction period of the development hereby approved, the Construction and Environment Management Plan Issue No A, dated 26<sup>th</sup> July 2019 shall be adhered to at all times.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times and to ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

## **LEMP**

23. The development hereby approved shall proceed in accordance with the details set out in the Landscape and Ecology Management Plan ref 7884.ECoAss.vf2 dated August 2019.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

## **Secondary Access**

24. The secondary access to the site from Skimmingdish Lane (shown between buildings A and B on Drawing No: 5002855-RDG-XX-ST-PL-A-0003 Rev H – Proposed Site Plan) shall be retained for emergency use and for vehicular access on event days only and shall not be utilised for day to day operational or servicing uses. The access shall not be utilised for pedestrian or cycle access.

Reason: In the interests of highway safety and to comply with Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1, and Government guidance contained within the National Planning Policy Framework.

## **Unexpected Land Contamination**

25. If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with has obtained written approval to the strategy from the Local Planning Authority. Thereafter the remediation strategy shall be implemented as approved.

Reason: NPPF paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 178). Also to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996.

## **BREEAM**

26. The development hereby approved shall be constructed to achieve at least a BREEAM 'Very Good' standard.

Reason: To ensure sustainable construction, reduce carbon emissions and to ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and to accord with Policy ESD3 of the Cherwell Local Plan 2011-2031.

**Informatives:**

1. The application indicates that surface waters will NOT be discharged to the public network. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then this to be a material change to the proposal, which would require an amendment to the application.
2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
3. There are easements and wayleaves to the north of the Site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development. The applicant should contact Thames Water to discuss their proposed development in more detail. All enquiries from developers in relation to proposed developments should be made to Thames Water's Developer Services team. Their contact details are as follows: Thames Water Developer Services, Reading Mail Room , Rose Kiln Court , Rose Kiln Lane , Reading RG2 0BY Tel: 0800 009 3921 Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)
4. Wastewater: Thames Water requests that the programme of the development and proposed pump rates be provided to enable them to plan any future network reinforcement that may be required.
5. In respect of condition 7 above. The Plan should consider how apprenticeships will be delivered, how apprenticeship opportunities will be advertised, how the applicant/developer will work with local employment/training agencies to identify construction related job opportunities, how the applicant will deliver supply chain events to promote opportunities for local companies and how these will be advertised. If further advice is needed please contact Caroline Clapson on 01295 221514.
6. In respect of condition 16 above, all mechanical plant or machinery should be assessed to ensure noise is not a problem at nearby noise sensitive receptors. Ideally there should be no increase on existing background levels when assessed as a rating level.
7. In respect of condition 13 above, the requirement for a Signage Strategy does not replace or avoid the need for separate advertisement consent under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

**DEVELOPMENT MONITORING**

The Council has identified the development hereby approved as one that it considers appropriate to monitor during construction. We would therefore be grateful if you could let us know of your intention to start the development at least 14 days prior to the commencement of work on site. You can do this by emailing the Council on: [monitoring@cherwell-dc.gov.uk](mailto:monitoring@cherwell-dc.gov.uk) and providing us with the following information: application number; application address; and the date you intend to start the development. During the monitoring period, we will be assessing the development against the approved plans, and compliance with any conditions imposed on the permission. It is in your interest to comply with this request as it will help to avoid any unnecessary, and possibly expensive, corrective works.

## PLANNING NOTES

1. **Conditions** – the applicant's attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

Under the Town and Country Planning (Fees for Applications, Deemed Application, Requests and Site Visits) (England) Regulation 2012 there is a fee payable each time you make a request to discharge any of the conditions attached to this permission. You can apply to discharge more than one condition at the same time. At the time of this decision the fee is £34 per request for householder development and £116 per request in all other cases. The fee may be more when you come to apply for the discharge of condition if the Regulations have been amended. The fee is payable when you submit the details to discharge the condition(s). The Council has '1app' forms for such applications, but their use is not mandatory.

There is no fee for the discharge of conditions on listed building consents.

**The Council has eight weeks to respond to applications to discharge conditions, so you will need to make your application in good time before commencing development.**

2. **Material Samples** – please note that where any of the above conditions require the approval of materials, material samples are no longer accepted at the Council offices and should in the first instance be left on the application site for the relevant case officer to view and assess in context with its surroundings. Material samples and sample panels should be placed/erected on the site before an application to discharge that condition(s) is submitted.

Should leaving samples on site be impractical then arrangements should be made with the relevant case officer to view samples on site.

3. **S106 Agreement** – Attention is drawn to a Legal Agreement related to this development dated 27 August 2019 which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.

## STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, the Council has worked positively, creatively and proactively to determine this application within the agreed timescales, having worked with the applicant/agent where necessary and possible within the scope of the application (as set on in the case officer's report) to resolve any concerns that have arisen, in the interests of achieving more appropriate and sustainable development proposals. Consent has been granted accordingly.

The case officer's report and recommendation in respect of this application is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. The agenda, minutes and webcast recording of the Planning Committee meeting at which this application was determined are also available to view online at: <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?CId=117&Year=0>.

## NOTES TO THE APPLICANT

### TIME LIMITS FOR APPLICATIONS

By virtue of Sections 91-96 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of the permission, then that condition must be observed. Otherwise, one or other of the following time limits will apply:

**Where planning permission is given in outline** subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission and further the development to which the permission relates must be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

**Where the planning permission is complete and is not in outline**, the development must be begun not later than the expiration of 3 years from the date on which permission was granted.

### OTHER NECESSARY CONSENTS

This document only conveys permission or approval for the proposed development under Part III of the Town and Country Planning Act 1990 and you must also comply with all the bye-laws, regulations and statutory provisions in force in the District and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 (as amended), or other legislation.

In particular you are reminded of the following matters:

- The need in appropriate cases to obtain approval under the Building Regulations. **The Building Regulations may be applicable to this proposal. You are therefore advised to contact the District Council's Building Control Manager before starting work on site.**
- The need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath.
- Data supplied by the National Radiological Protection Board (NRPB) and the British Geological Survey (BGS) suggests that the site of this application falls within an area which is potentially at risk from radon. This may require protective measures in order to comply with the Building Regulations if your consent relates to a new dwelling or house extension. Further advice on whether protective measures are required under the Building Regulations can be obtained by contacting the Building Control Manager on 0300 003 0200, or E-mail at [building.control@cherwellandsouthnorthants.gov.uk](mailto:building.control@cherwellandsouthnorthants.gov.uk)
- The need to obtain a separate "Listed Building Consent" for the demolition, alteration or extension of any listed building of architectural or historic interest from the Local Planning Authority.
- The need to make any appropriate arrangements under the Highways Act in respect of any works within the limits of a public highway. The address of the Highway Authority is Oxfordshire County Council, Speedwell House, Speedwell Street, Oxford, OX1 1NE.
- It is the responsibility of the applicant to ascertain whether their development affects any public right of way, highway or listed building.

## APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse to grant planning permission or grant planning permission subject to conditions, you can appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal, then;

- For **Householder** applications you must do so within **12 weeks** of the date of the decision
- For **Minor Commercial** applications you must do so within **12 weeks** of the date of the decision
- For **all other types** of planning applications, you must do so within **6 Months** of the date of the decision

### Unless;

- The decision on the application relates to the same or substantially the same land and the development is already the **subject of an enforcement notice** then you must appeal within **28 days** of the date of the Local Planning Authority's decision on the planning application.
- If an **enforcement notice is served** relating to the same or substantially the same land and development as in your application and if you want to appeal the decision, then you must do so within **28 days** of the service of the enforcement notice, or 6 months (12 weeks for householder and minor commercial) of the date of this decision whichever is the sooner

Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel (0303 444 5000) Or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)**. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to them that permission or approval for the proposed development could not have been so granted otherwise than subject to the conditions imposed by the Local Planning Authority, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by them.

## PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State grants permission or approval for the development of land subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the District Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

## COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to them.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.

# Appendix 3

Application 19/02275/F Decision Notice





**Cherwell**  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

# NOTICE OF DECISION

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

### Name and Address of Agent/Applicant:

Edgars Limited  
Mr Jon Westerman  
The Old Bank  
39 Market Square  
Witney  
OX28 6AD

### Full Planning Determination

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**Date Registered:** 16th October 2019

**Proposal:** Variation of condition 2 (plans) of 18/01333/F – various minor changes to approved plans including alterations to the fenestration of the buildings, as required to deliver the proposed buildings.

**Location:** Bicester Heritage, Buckingham Road, Bicester, OX26 5HA

**Parish(es):** Launton

### PERMISSION FOR DEVELOPMENT SUBJECT TO CONDITIONS AND SUBJECT TO A S106 PLANNING AGREEMENT

Cherwell District Council, as Local Planning Authority, hereby **GRANTS** planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information, **SUBJECT TO THE CONDITIONS SET OUT IN THE ATTACHED SCHEDULE.**

The reason for the imposition of each of the conditions is also set out in the schedule.

Cherwell District Council  
Bodicote House  
Bodicote  
BANBURY  
OX15 4AA

**David Peckford**

Assistant Director – Planning and Development

**Date of Decision: 31<sup>ST</sup> January 2020**

Checked by: Alex Keen



## SCHEDULE OF CONDITIONS

### Approved Plans

1. The development shall not be carried out otherwise than in complete accordance with the approved plans listed below unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended):

- 5002855-RDG-XX-ST-PL-A-0003 Rev N – Proposed Site Plan
- 5002855-RDG-Z1-00-PL-A-0100 Rev E – Building A Proposed Ground Floor Plan
- 5002855-RDG-Z1-M0-PL-A-0110 Rev E – Building A Proposed Mezzanine Level Plan
- 5002855-RDG-Z1-RF-PL-A-0120 Rev D – Building A Proposed Roof Plan
- 5002855-RDG-Z1-XX-EL-A-0130 Rev E – Building A Proposed Elevations
- 5002855-RDG-Z2-00-PL-A-0100 Rev E – Building B Proposed Ground Floor Plan
- 5002855-RDG-Z2-M0-PL-A-0110 Rev E – Building B Proposed Mezzanine Level Plan
- 5002855-RDG-Z2-RF-PL-A-0120 Rev E – Building B Proposed Roof Plan
- 5002855-RDG-Z2-XX-EL-A-0130 Rev E – Building B Proposed Elevations
- 5002855-RDG-Z3-00-PL-A-0100 Rev D – Building C Proposed Ground Floor Plan
- 5002855-RDG-Z3-M0-PL-A-0110 Rev D – Building C Proposed Mezzanine Level Plan
- 5002855-RDG-Z3-RF-PL-A-0120 Rev D – Building C Proposed Roof Plan
- 5002855-RDG-Z3-XX-EL-A-0130 Rev E – Building C Proposed Elevations
- 5002855-RDG-Z4-00-PL-A-0100 Rev D – Building D Proposed Ground Floor Plan
- 5002855-RDG-Z4-M0-PL-A-0110 Rev D – Building D Proposed Mezzanine Level Plan
- 5002855-RDG-Z4-RF-PL-A-0120 Rev D – Building D Proposed Roof Plan
- 5002855-RDG-Z4-XX-EL-A-0130 Rev E – Building D Proposed NW and SE Elevations
- 5002855-RDG-Z4-XX-EL-A-0131 Rev E – Building D Proposed NE and SW Elevations
- 5002855-RDG-Z5-00-PL-A-0100 Rev E – Building E Proposed Ground Floor Plan
- 5002855-RDG-Z5-M0-PL-A-0110 Rev E – Building E Proposed Mezzanine Level Plan
- 5002855-RDG-Z5-RF-PL-A-0120 Rev E – Building E Proposed Roof Plan
- 5002855-RDG-Z5-XX-EL-A-0130 Rev D – Building E Proposed NE and SW Elevations
- 5002855-RDG-Z5-XX-EL-A-0131 Rev D – Building E Proposed NW and SE Elevations
- 5002855-RDG-Z6-00-PL-A-0100 Rev E – Building F Proposed Ground Floor Plan
- 5002855-RDG-Z6-M0-PL-A-0110 Rev D – Building F Proposed Mezzanine Level Plan
- 5002855-RDG-Z6-RF-PL-A-0120 Rev D – Building F Proposed Roof Plan
- 5002855-RDG-Z6-XX-EL-A-0130 Rev D – Building F Proposed NE and SW Elevations
- 5002855-RDG-Z6-XX-EL-A-0131 Rev E – Building F Proposed NW and SE Elevations
- 5002855-RDG-Z7-00-PL-A-0100 Rev D – Building G Proposed Ground Floor and Roof Plans
- 5002855-RDG-Z7-XX-EL-A-0130 Rev D – Building G Proposed Elevations
- 5002855-RDG-Z8-00-PL-A-0100 Rev E – Building H Proposed Ground Floor Plan
- 5002855-RDG-Z8-M0-PL-A-0110 Rev D – Building H Proposed Mezzanine Level Plan
- 5002855-RDG-Z8-RF-PL-A-0120 Rev D – Building H Proposed Roof Plan
- 5002855-RDG-Z8-XX-EL-A-0130 Rev D – Building H Proposed Elevations

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority.

### Compliance with Ecological Assessment

2. The development hereby approved shall be carried out in accordance with the recommendations set out in section 5 of the Ecological Assessment carried out by Ecological Solutions dated July 2018 (submitted with application 18/01333/F).

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

## Use of buildings

3. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) (England) Order 2015 and subsequent amendments, the buildings hereby approved shall be used only for purposes falling within Class B1 (c), B2 and/or B8 as specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and for no other purpose(s) whatsoever.

Reason: In accordance with Policy Bicester 8 of the Cherwell Local Plan 2011 – 2031 Part 1.

## Compliance with Energy Strategy

4. The development shall be carried out in accordance with the Recommendations and Conclusions listed in section 4 of the Energy Strategy dated November 2018 (submitted with application 18/01333/F). This will include the use of air-source heat pumps for each building alongside the implementation of energy demand reduction through the building fabric and the following measures taken by end users, unless any alternative has been previously submitted to and agreed in writing with the Local Planning Authority;

- Provision of high-efficiency internal and external lighting
- Implementation of an efficient lighting control strategy to include (where applicable):
  - photoelectric (daylight) sensing
  - occupancy presence detection
  - external lighting to be linked to daylight sensors with a timer only for provision of lighting when required
- Use of variable speed drives on pumps and fans, where applicable
- Insulation of all duct work and pipework
- Development of a metering and sub-metering building services strategy to monitor energy used within all units
- Use of highly-efficient heat recovery ventilation systems, where applicable
- Consideration of instantaneous domestic hot water (DHW) systems to reduce system standby/storage losses
- Ensuring that energy-efficient white goods are installed within the buildings

Where photovoltaic panels are to be used details shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason: To ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and to accord with Policy ESD1 of the Cherwell Local Plan 2011-2031.

## Surface Water Drainage

5. The development shall be completed in accordance with the surface water drainage scheme (submitted with application 19/01853/DISC) which comprises of the following drawings and documents:

- 5002855-RDG-XX-ST-PL-C-0501 rev A Foul and Surface Water Drainage Layout
- 5002855-RDG-XX-ST-PL-C-0502 rev B Foul and Surface Water Drainage Layout
- 5002855-RDG-XX-XX-SC-C-0503 rev B Foul and Surface Water Drainage Schedules
- 5002855-RDG-XX-ST-PL-C-0504 rev A Surface Water Exceedance Flood Flow Routing
- 5002855-RDG-XX-ST-PL-C-0505 Existing Surface run-off Catchment
- 5002855-RDG-XX-XX-DT-C-0510 rev A Foul and Surface Water Drainage Construction Details
- 5002855-RDG-XX-XX-DT-C-0511 rev A Foul and Surface Water Drainage Construction Details
- 5002855-RDG-XX-XX-DT-C-0512 Surface Water Attenuation Basin Layout
- 5002855-RDG-XX-ST-PL-C-0601 rev B Site Levels Layout
- 5002855-RDG-XX-ST-PL-C-0602 rev B Site Levels Layout

- 5002855-RDG-XX-XX-SE-C-0604 rev A Road Alignment Long Sections
- 5002855-RDG-XX-XX-DT-C-0710 rev A Surface Finishes Construction Details
- The Drainage Design, Management and Maintenance Report dated 01 November 2019

Reason: To ensure that the development is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Training and Employment Plan**

6. Construction shall take place in accordance with the approved Training and Employment Plan (submitted with application 19/02431/DISC) which comprises of:

- Training and Employment Plan dated October 2019
- Follow up letter dated 20th December 2019 prepared by Edgars

Reason: Paragraphs 80 and 81 of the National Planning Policy Framework support and encourage sustainable economic growth. Para B14 of the adopted Cherwell Local Plan 2011-2031 recognises that it is important to ensure the population is sufficiently skilled to attract companies and investment to Cherwell and supports proposals to strengthen the skills base of the local economy. Strategic Objective 3 of the adopted Cherwell Local Plan seeks to support an increase in skills.

### **Finished Floor Levels**

7. A plan showing full details of the finished floor levels in relation to existing and proposed site levels for each of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the laying of foundations for the relevant building. The proposed finished floor levels should be in accordance with the recommendations in the Flood Risk Assessment accompanying the application (ref: 18/01333/F): Version 1.0 dated 14/12/2016. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.

Reason: To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to take into account risks from surface water flooding to comply with Policies ESD6 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies ENV1 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **Materials**

8. Prior to the construction of any of the buildings hereby approved above ground level, a schedule of materials and finishes for the external walls and roof of that building (including the submission of samples) shall be submitted to and approved in writing by the Local Planning Authority. The brick samples shall be submitted by means of a sample panel (minimum 1 metre squared in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority before the commencement of the brickwork. Thereafter the development shall be carried out in accordance with the approved schedule and samples/sample panel.

Reason: To ensure the satisfactory appearance of the completed development, the visual amenities of the conservation area and the significance of the heritage asset and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **Architectural Detailing**

9. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the buildings, including the windows and doors (and their surrounds), together with the eaves and verge treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building to which they relate above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the conservation area and the significance of the heritage asset in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

### **Boundary Treatments**

10. No boundary treatments shall be erected on the site without details (including the design, position, height and materials) having been previously submitted to and approved in writing by the Local Planning Authority. The treatment shall thereafter be installed in accordance with the approved details.

Reason : To ensure that there is an appropriate integration between the application site and the existing technical site to preserve the character and appearance of the conservation and area setting of listed buildings to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, saved policy C25 of the Cherwell Local Plan 1996 and Government advice contained in the National Planning Policy Framework.

### **Lighting**

11. Details of all external lighting including the design, position, orientation, illumination and its intensity together with any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed, operated and retained in accordance with the approved scheme at all times thereafter.

Reason: In the interests of visual amenity, to preserve the character and appearance of the conservation area, to accord with the findings of the ecological survey and to comply with Policy ESD10 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

### **Signage**

12. A Signage Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any external signage (either free-standing or on buildings). The signage shall be installed in accordance with the approved scheme thereafter.

Reason: In the interests of visual amenity, to preserve the character and appearance of the conservation area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

### **Trees and Landscaping**

13. Notwithstanding the approved details a scheme for landscaping the site shall be submitted to and approved in writing by the Local Planning Authority which shall include:-
- a) details of proposed tree, hedgerow and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc.),

- b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- c) details of the hard landscaping including hard surface areas, including footpaths, pavements, pedestrian areas car parking and manoeuvring areas, reduced-dig areas, crossing points and steps,
- d) details of all tree pits,
- e) details of all refuse/recycling bins including location and compound enclosure details.

Such details shall be provided prior to any development progressing above slab level or such alternative time frame as agreed in writing with the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **Acoustic Assessment**

15. Prior to the units hereby approved being first occupied all mechanical plant or machinery to be installed within the relevant building shall be identified and assessed in accordance with BS4142:2014 and the report submitted to the Local Planning Authority for approval. Where the approved assessment identifies the need for any mitigation or acoustic enclosure full details should be agreed with the Local Planning Authority and put in place prior to the first occupation of the building.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996.

### **Car Parking**

16. Prior to the first occupation of the development hereby approved, the 84 parking spaces and manoeuvring areas shall be provided in accordance with the approved site plan 5002855-RDG-XX-ST-PL-A-0003 Rev N and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring areas shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times. In the event that the mix of uses varies from that listed in this condition, an assessment and review of the approved car parking provision within the site shall be submitted to and agreed in writing with the Local Planning Authority and where the need for additional car parking is identified, this shall be provided in accordance with the agreed details:

- B1 (c) – 1632 sqm GIA
- B2 – 1632 sqm GIA
- B8 – 3265 sqm GIA

Reason: In the interest of highway safety, to ensure the adequate provision of off-street car parking and to avoid overspill or inappropriate parking and to comply with Government guidance contained within the National Planning Policy Framework.

### **Cycle Parking**

17. Prior to the first use or occupation of the development hereby approved, 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 and to ensure a satisfactory form of development, in accordance with Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1, and the Government guidance contained within the National Planning Policy Framework.

### **Framework Travel Plan**

18. Prior to the first occupation of the buildings hereby approved the Framework Travel Plan (submitted with application 18/01333/F) shall be revised, resubmitted and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, and to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Waste Water Upgrades**

19. The development shall be completed in accordance with the Foul Drainage Design Report dated 01 October 2019, prepared by Ridge (submitted with application 19/02472/DISC).

Reason - The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents, to comply with Policy ESD8 of the Cherwell Local Plan 2011-2031 Part 1.

### **Landscape Maintenance/Management**

20. Prior to the first use of the development hereby approved, a schedule of landscape maintenance and a landscape management plan for a minimum period of 5 years, to include the timing of the implementation of the schedule, management responsibilities, maintenance schedules, details of the future management, and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

## **Construction and Environment Management Plan**

21. Throughout the construction period of the development hereby approved, the Construction and Environment Management Plan Issue No A, dated 26th July 2019 (submitted with application 18/01333/F) shall be adhered to at all times.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times and to ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

## **LEMP**

22. The development hereby approved shall proceed in accordance with the details set out in the Landscape and Ecology Management Plan ref 7884.ECoAss.vf2 dated August 2019 (submitted with application 18/01333/F).

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

## **Secondary Access**

23. The secondary access to the site from Skimmingdish Lane (shown between buildings A and B on Drawing No: 5002855-RDG-XX-ST-PL-A-0003 Rev N – Proposed Site Plan) shall be retained for emergency use and for vehicular access on event days only and shall not be utilised for day to day operational or servicing uses. The access shall not be utilised for pedestrian or cycle access.

Reason: In the interests of highway safety and to comply with Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1, and Government guidance contained within the National Planning Policy Framework.

## **Unexpected Land Contamination**

24. If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with has obtained written approval to the strategy from the Local Planning Authority. Thereafter the remediation strategy shall be implemented as approved.

Reason: NPPF paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 178). Also to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996.

## **BREEAM**

25. The development hereby approved shall be constructed to achieve at least a BREEAM 'Very Good' standard.

Reason: To ensure sustainable construction, reduce carbon emissions and to ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and to accord with Policy ESD3 of the Cherwell Local Plan 2011-2031.

## PLANNING NOTES

1. **Conditions** – the applicant's attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

Under the Town and Country Planning (Fees for Applications, Deemed Application, Requests and Site Visits) (England) Regulation 2012 there is a fee payable each time you make a request to discharge any of the conditions attached to this permission. You can apply to discharge more than one condition at the same time. At the time of this decision the fee is £34 per request for householder development and £116 per request in all other cases. The fee may be more when you come to apply for the discharge of condition if the Regulations have been amended. The fee is payable when you submit the details to discharge the condition(s). The Council has '1app' forms for such applications, but their use is not mandatory.

There is no fee for the discharge of conditions on listed building consents.

**The Council has eight weeks to respond to applications to discharge conditions, so you will need to make your application in good time before commencing development.**

2. **Material Samples** – please note that where any of the above conditions require the approval of materials, material samples are no longer accepted at the Council offices and should in the first instance be left on the application site for the relevant case officer to view and assess in context with its surroundings. Material samples and sample panels should be placed/erected on the site before an application to discharge that condition(s) is submitted.

Should leaving samples on site be impractical then arrangements should be made with the relevant case officer to view samples on site.

3. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
4. There are easements and wayleaves to the north of the Site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development. The applicant should contact Thames Water to discuss their proposed development in more detail. All enquiries from developers in relation to proposed developments should be made to Thames Water's Developer Services team. Their contact details are as follows: Thames Water Developer Services, Reading Mail Room , Rose Kiln Court , Rose Kiln Lane , Reading RG2 0BY Tel: 0800 009 3921 Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)
5. Wastewater: Thames Water requests that the programme of the development and proposed pump rates be provided to enable them to plan any future network reinforcement that may be required.
6. In respect of condition 15 above, all mechanical plant or machinery should be assessed to ensure noise is not a problem at nearby noise sensitive receptors. Ideally there should be no increase on existing background levels when assessed as a rating level.
7. In respect of condition 12 above, the requirement for a Signage Strategy does not replace or avoid the need for separate advertisement consent under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).
8. Attention is drawn to a Legal Agreement related to this development dated 27<sup>th</sup> August 2019 which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.



## STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, the Council has worked positively, creatively and proactively to determine this application within the agreed timescales, having worked with the applicant/agent where necessary and possible within the scope of the application (as set on in the case officer's report) to resolve any concerns that have arisen, in the interests of achieving more appropriate and sustainable development proposals. Consent has been granted accordingly.

The case officer's report and recommendation in respect of this application provides a detailed assessment of the merits of the application when considered against current planning policy and guidance, including consideration of the issues raised by the comments received from consultees and members of the public. This report is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>.



## NOTICE OF DECISION

### TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

#### NOTES TO THE APPLICANT

##### TIME LIMITS FOR APPLICATIONS

By virtue of Sections 91-96 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of the permission, then that condition must be observed. Otherwise, one or other of the following time limits will apply:

**Where planning permission is given in outline** subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission and further the development to which the permission relates must be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

**Where the planning permission is complete and is not in outline**, the development must be begun not later than the expiration of 3 years from the date on which permission was granted.

##### OTHER NECESSARY CONSENTS

This document only conveys permission or approval for the proposed development under Part III of the Town and Country Planning Act 1990 and you must also comply with all the bye-laws, regulations and statutory provisions in force in the District and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 (as amended), or other legislation.

In particular you are reminded of the following matters:

- The need in appropriate cases to obtain approval under the Building Regulations. **The Building Regulations may be applicable to this proposal. You are therefore advised to contact the District Council's Building Control Manager before starting work on site.**
- The need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath.
- Data supplied by the National Radiological Protection Board (NRPB) and the British Geological Survey (BGS) suggests that the site of this application falls within an area which is potentially at risk from radon. This may require protective measures in order to comply with the Building Regulations if your consent relates to a new dwelling or house extension. Further advice on whether protective measures are required under the Building Regulations can be obtained by contacting the Building Control Manager on 0300 003 0200, or E-mail at [building.control@cherwellandsouthnorthants.gov.uk](mailto:building.control@cherwellandsouthnorthants.gov.uk)
- The need to obtain a separate "Listed Building Consent" for the demolition, alteration or extension of any listed building of architectural or historic interest from the Local Planning Authority.
- The need to make any appropriate arrangements under the Highways Act in respect of any works within the limits of a public highway. The address of the Highway Authority is Oxfordshire County Council, Speedwell House, Speedwell Street, Oxford, OX1 1NE.
- It is the responsibility of the applicant to ascertain whether their development affects any public right of way, highway or listed building.

## APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse to grant planning permission or grant planning permission subject to conditions, you can appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal, then;

- For **Householder** applications you must do so within **12 weeks** of the date of the decision
- For **Minor Commercial** applications you must do so within **12 weeks** of the date of the decision
- For **all other types** of planning applications, you must do so within **6 Months** of the date of the decision

### Unless;

- The decision on the application relates to the same or substantially the same land and the development is already the **subject of an enforcement notice** then you must appeal within **28 days** of the date of the Local Planning Authority's decision on the planning application.
- If an **enforcement notice is served** relating to the same or substantially the same land and development as in your application and if you want to appeal the decision, then you must do so within **28 days** of the service of the enforcement notice, or 6 months (12 weeks for householder and minor commercial) of the date of this decision whichever is the sooner

Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel (0303 444 5000) Or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)**. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to them that permission or approval for the proposed development could not have been so granted otherwise than subject to the conditions imposed by the Local Planning Authority, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by them.

## PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State grants permission or approval for the development of land subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the District Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

## COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to them.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.