

**Case Officer:** Bernadette Owens

**Recommendation:** Approve

**Applicant:** Tritax Symmetry (Bicester Reid) Ltd

**Proposal:** 1. Alterations and enlargement of existing service yard to provide additional spaces for car and van parking, new access point to van parking and dispatch area, new access to staff parking area; 2. Built development, comprising building and plant, associated with the proposed occupation of Ocado comprising: Vehicle Maintenance Unit (VMU); Technical Services Block (TSB); Vehicle Inspection Hub (VIH); Comms Container (CCR); Sprinkler Tanks and Pump House; Vehicle wash (with underground waste water tank) and Van Fuel Station (with canopy over); smoking and vaping shelter; compaction area (with canopy over) and cycle store; 3. Site fencing enclosure with electricity supply substation; standby generator; enclosed storage units and Pallet Stack; 4. Realignment of existing cycle and footpath between A41 and Site boundary with Wretchwick Green, including landscaping; and 5. Minor realignment of existing storm water drains and installation of storm water attenuation tanks.

**Expiry Date:** 19 March 2021

**Extension of Time:** N/A

## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is located within the Symmetry Park commercial development site approximately 3.2km to the southeast of Bicester town centre and 0.5km north of the village of Ambrosden and sits immediately adjacent to the A41. The site currently stands in open countryside but forms part of the Bicester 12 South East Bicester strategic allocation for mixed use development within the Cherwell Local Plan 2011-2031.
- 1.2. The application site extends to 5.47 hectares and has frontage to the A41 along the whole of its southern boundary. Further to the west along the A41 is a pair of two storey semi-detached cottages, known as Wretchwick Farm Cottages, and approximately 400m to the north of the site is Little Wretchwick Farm and associated farm buildings. Open agricultural land currently lies to the north of the site although this will eventually come forward for development as part of the strategic allocation under Policy Bicester 12. To the south of the site on the opposite side of the A41 are two Grade II Listed Buildings and Graven Hill is situated to the southwest of the site.
- 1.3. Within the Symmetry Park development B8 buildings have been granted consent under planning permission ref. 16/00861/HYBRID (Units A1 and A2 occupied by Bentley Designs and Medline Services, respectively); planning permission 18/00091/F (Unit B construction complete – unit unoccupied); planning permission 19/00388/F (Unit C development not yet commenced) and a further B8 unit was also granted consent under planning permission 20/00530/F (Unit D to be occupied by DPD – currently under construction).

- 1.4. This application relates to the constructed Unit B which is currently unoccupied and comprises some 14,200sqm logistics floorspace with ancillary B1 office space and associated car parking, service yard and lorry parking.
- 1.5. The application site is located within land associated with the constructed Unit B and part of the land attached to permitted Unit C.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The development subject of this application comprises alterations and the enlargement of the existing service yard attached to Unit B, into the Unit C site to provide for additional car and van parking spaces to accommodate the proposed occupier – Ocado.
- 2.2. The alterations to meet the requirements of the Ocado operation will also include ancillary service buildings within the service yard area comprising: Vehicle Maintenance Unit (VMU); Technical Services Block (TSB); Vehicle Inspection Hub (VIH); Comms Container (CCR); Sprinkler Tanks and Pump House; Vehicle wash (with underground waste water tank) and Van Fuel Station (with canopy over); smoking and vaping shelter; compaction area (with canopy over) and cycle store; electricity supply substation; standby generator; enclosed storage units and Pallet Stack.
- 2.3. The realignment of existing footpath/cycleway between the A41 and the site boundary with adjacent Wretchwick Green development site (which forms the other part of the Bicester 12 strategic allocation) is also required as a result of the enlargement of the service yard area and minor realignment of existing storm water drains and installation of storm water attenuation tanks is proposed.

## **3. RELEVANT PLANNING HISTORY**

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
15/02316/OUT	Outline - Proposed development of up to 69,677sqm (750,000 sq. feet) of logistics floorspace, within Class B8 of the Town and Country Planning Use Classes Order of 1987, with ancillary Class B1(A) Offices, together with associated site infrastructure including lorry parking, landscaping and sustainable drainage with details of means of access included for approval.	Appeal lodged against non-determination but later withdrawn
16/00861/HYBRID	HYBRID – full planning permission for 18,394 sqm of logistics floor space within Class B8, access to A41 and outline planning permission for up to 44,314 sqm of logistics floor space within B8.	Application permitted
16/01268/OUT	Outline application with all matters reserved apart from access for residential development including up to 1,500 dwellings, up to 7ha of employment land for	Committee resolution to grant planning permission.

	B1 and/ or B8 uses, a local centre with retail and community use to include A1 and/ or A2 and/ or A3 and/ or A4 and/ or A5 and/ or D1 and/ or D2 and/ or B1, up to a 3 Form Entry Primary School, drainage works including engineering operations to re-profile the land and primary access points from the A41 and A4421, pedestrian and cycle access, circulation routes, related highway works; car parking; public open space and green infrastructure and sustainable drainage systems.	S106 negotiations on-going.
18/00091/F	14,200 sqm of logistics floor space, within class B8, including ancillary class B1 (a) offices (929 sqm), erection of security gatehouse, security fence, sprinkler tank and pump house, with an access road and associated site infrastructure including external service yard, lorry parking, landscaping, amenity open space including 10m green corridor with 3m foot path and cycle link to wider Bicester 12 and storm water drainage infrastructure and private sewage treatment plant.	Application permitted
19/00388/F	Full Planning Permission for 29,350 sqm of logistics floor space, within class B8 of the Town and Country Planning Use Classes Order 1987, including ancillary class B1 (a) offices (1,688 sqm), erection of security gatehouse (26 sqm), security fence, sprinkler tank and pump house, accessed from the existing Symmetry Park estate road, associated site infrastructure including external service yard, lorry parking, landscaping, amenity open space including 10m green corridor with 3m foot path and cycle link to wider Bicester 12 and storm water drainage infrastructure and private sewage treatment plant.	Application permitted
20/00530/F	Full planning application for 4,635sqm of logistics floor space, within Class B8, including ancillary Class B1 (a) office, (592sqm), a customer collection facility (112sqm), staff mess pod (142sqm), and associated infrastructure including external service yard, lorry, van and staff car parking, re-fuelling facility, fencing,	Application permitted

landscaping, storm water drainage and private sewage treatment plant.

#### **4. PRE-APPLICATION DISCUSSIONS**

4.1. No pre-application discussions have taken place with regard to this proposal.

#### **5. RESPONSE TO PUBLICITY**

5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **27 January 2021**, although comments received after this date and before finalising this report have also been taken into account.

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

- Support for the application if safe access for walking and cycling is provided;
- Objection due to development being disjointed. A41 is busy and dangerous and better cycle paths, walking routes and green spaces are needed before any more warehousing which currently surrounds the town;
- Objection due to lack of adequate pedestrian and cycle routes;
- Comment that cycle paths along the A41 are too narrow, uneven and prone to flooding and traffic including lorries and vans is heavy, lighting is also poor. Significant improvements are required.

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

#### **6. RESPONSE TO CONSULTATION**

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

##### PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. Ambrosden Parish Council – Objection to the use of external lighting unless it can be shielded and screened and there should be no high-level lighting at the back of the building. The Council also objects to the realignment of the cycle path – the large curve making this un-surveyed and therefore unlikely to be used as it could be perceived as dangerous.

6.3. The Parish Council requested that the application be called to planning committee to explore options of improvements and better linkages with existing cycle paths.

6.4. No formal call-in request has been received from a District Councillor.

6.5. Blackthorn Parish Council – No comments received.

- 6.6. Bicester Town Council – Welcome the application and the quality jobs it will bring. Concern regarding how waiting vehicles will be managed, with a requirement for a managed holding area to be established. Assurance is also requested to ensure that improvements being made between A41 and the site boundary with Wretchwick Green are of an adequate width and specification to accommodate cyclists and pedestrians in line with active travel plans.
- 6.7. Langford Village Community Association – No comments received.

#### CONSULTEES

- 6.8. OCC Transport Development Control – No objection subject to S106 contributions and conditions.
- 6.9. OCC Drainage – No objection subject to conditions.
- 6.10. OCC Archaeology – No objection.
- 6.11. CDC Ecology – No comments received.
- 6.12. CDC Environmental Protection – No comments to make
- 6.13. CDC Landscape Services – The visual harm to pedestrians on the proposed realigned path to the north is greater than before. The northern boundary fence should be augmented with native hedgerow and trees.
- 6.14. CDC Arboriculture – No comments received.
- 6.15. CDC Building Control – The proposal will require a building regulation application.
- 6.16. Environment Agency – No comments to make.
- 6.17. Thames Water – No objection. Informative recommended.
- 6.18. Thames Valley Police (Design Advisor) – Robust security measures are proposed – recommend that the application consults with Secured By Design – Commercial 2015 to ensure all opportunities are taken to design out crime.
- 6.19. Bicester Bike Users Group (BBUG) – Detailed comments are made in respect of pedestrian and cycle links and access to the site.

### **7. RELEVANT PLANNING POLICY AND GUIDANCE**

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

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

- PSD1: Presumption in favour of sustainable development
- SLE1: Employment development
- SLE4: Improved transport and connections
- BSC2: Effective and efficient use of land
- ESD1: Mitigating and adapting to climate change
- ESD2: Energy hierarchy and allowable solutions
- ESD3: Sustainable construction
- ESD4: Decentralised energy systems
- ESD5: Renewable energy
- ESD6: Sustainable flood risk management
- ESD7: Sustainable drainage systems
- ESD8: Water resources
- ESD10: Biodiversity and the natural environment
- ESD13: Local landscape protection and enhancement
- ESD15: Character of the built environment
- ESD17: Green Infrastructure
- Bicester 12: South east Bicester
- INF1: Infrastructure

## CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C31 – Compatibility of proposals
- TR10 – Heavy goods vehicles
- ENV1 – development likely to cause detrimental levels of pollution

### 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Planning Obligations SPD (February 2018)

## **8. APPRAISAL**

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

- Environmental Impact Assessment
- Principle of Development
- Design, Layout and Appearance
- Transport, Access and Highway Safety
- Impact on Neighbouring Amenity
- Landscaping
- Ecology
- Flood Risk and Drainage
- Energy Efficiency and Sustainability
- Planning Obligations

### **Environmental Impact Assessment**

8.2. The application is supported by an Environmental Statement (ES). The existing planning permission for the site (18/00091/F) was accompanied by an Environmental Statement.

- 8.3. As such, the ES submitted to support this application assesses proportionally, the impact of the proposed extension to the service yard area and associated works, and the Ocado operation utilising the baseline 2016 HYBRID planning application and the changes to the baseline set out in the 2018 ES.
- 8.4. The scope of the submitted ES considers the following topics: Transport and Access; Air Quality; Noise and Vibration; Ecology; Flooding and the Water Environment; Cultural Heritage; Landscape and Visual Impact; Ground Conditions and Geology; Climate Change; Human Health; Lighting and Waste.
- 8.5. Having regard to the site's allocation for employment use, the nature and likely impacts of the proposed uses, and the site constraints, Officers are satisfied with the scope of the submitted ES. On this basis it is considered that sufficient information is before the Local Planning Authority in order to consider the environmental effects of the development and any mitigation required to make the development acceptable.
- 8.6. Regulation 26 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 requires that Local Authorities must examine the environmental information, reach a reasoned conclusion on the significant effects of the proposed development on the environment and integrate that conclusion into the decision as to whether to grant planning permission.
- 8.7. The PPG advises 'The Local Planning Authority should take into account the information in the Environmental Statement, the responses to consultation and any other relevant information when determining a planning application'. Proper consideration of these matters is integrated into the assessment of the application under the relevant sections below.

### **Principle of Development**

- 8.8. The Development Plan for Cherwell District comprises the saved policies in the adopted Cherwell Local Plan 1996 and the adopted Cherwell Local Plan Part 1 2011-2031.
- 8.9. The adopted Cherwell Local Plan 2011-2031 includes strategic allocation Policy Bicester 12 (SE Bicester) which consists of 155 hectares of agricultural land. It identifies SE Bicester as a mixed-use site for employment and residential development of up to 1500 new homes and supporting infrastructure. This policy specifies that approximately 40 hectares shall be for employment use of which this application forms a part.
- 8.10. The Development Plan also includes a number of other relevant policies to this application, including those related to sustainable development, transport, flood risk and sustainable drainage, sustainable construction, ecology, landscape and visual impact, environment and design. These policies are all considered in more detail within the appraisal below.
- 8.11. The adopted Cherwell Local Plan 1996 includes a number of policies saved by the adopted Cherwell Local Plan 2011-2031, most of which relate to detailed matters such as design and layout. The policies of the adopted Cherwell Local Plan 1996 are considered in more detail in the appraisal below.
- 8.12. The principle of development on this site is set out in policy allocation Bicester 12 and has been established by the granting of the outline and detailed planning permissions under the hybrid application (16/00861/HYBRID) and specifically the extant planning permission for this site (Unit B - 18/00091/F) which has been implemented and the development is complete.

- 8.13. The proposed development lies wholly within the Symmetry Park development and the adjacent development parcel into which the extended service yard would encroach, also benefits from planning permission (Unit C - 19/00388/F) which has not been implemented.
- 8.14. Policy Bicester 12 sets out a target to deliver approximately 3,000 jobs across 40ha of employment land.
- 8.15. In considering the consented scheme (16/00861/HYBRID) for the Symmetry Park site, 2010 HCA job density figures were applied at 1 job per 70sqm equating to 930 jobs across the Symmetry Park site. This was considered acceptable at the time being approximately one third of the jobs delivered from one third of the Bicester 12 employment allocation.
- 8.16. Planning permission was granted for 62,709sqm of employment development and applying the updated 2015 HCA density figures at 1 job per 77sqm, the baseline job creation from the Symmetry Park site would be 814 jobs.
- 8.17. Whilst the extension of the service yard into the unit C site would reduce the employment floorspace that could be developed there and therefore the creation of jobs within that parcel, the intensive operation of the Ocado site is proposed to deliver 900 jobs on the unit B site alone. This is more than the entire site forecast under the approved Hybrid application.
- 8.18. The applicant has provided the following table setting out the figures for comparison:

	Sqm	Pre-Ocado	Post-Ocado
Unit B (standard job assumptions*)	14,200	184	N/A
Unit B (Ocado Jobs Forecast)	14,200	N/A	900
Unit C (as consented, standard job assumptions*)	29,350	381	N/A
Unit C1	16,020	N/A	208
Unit C2	8,389	N/A	109
Forecast Job numbers	TOTAL	565	1,217

*\*Standard job assumptions at 1:77 sqm; 2015 HCA Job Density Guidance*

- 8.19. This indicates that whilst there would be a slight decrease in job numbers on the reduced unit C site, the Ocado proposals on the extended unit B site would more than double the job numbers to be achieved on these parcels.
- 8.20. These higher job figures are achieved as a result of the intensive operational requirements of Ocado, which includes office staff, production staff (personal shoppers), warehouse staff and drivers working in shifts over a 24-hour period, 7 days a week.
- 8.21. An additional c.239 jobs have also been delivered by Bentley and Medline at units A1 and A2 (applying standard job assumptions) and a further c.200 jobs are to be delivered at the recently consented DPD unit.
- 8.22. This level of job creation is consistent with the aspirations of policy Bicester 12 and will assist in delivering the local jobs and securing the economic future of the District in accordance with the CLP 2031 Part 1.

Design, Layout and Appearance

- 8.23. The application proposes in the main part, an extension to the existing service yard to serve the existing B8 unit (unit B) on the site. The unit is already constructed along with the access and existing service yard.



- 8.24. As set out above, the application site also includes part of the adjoining Unit C site for which planning permission was granted in 2019 (19/00388/F) but development has not yet commenced. The proposed changes and extension to the service yard into the Unit C site will mean that the development of Unit C cannot come forward as approved.
- 8.25. A site wide masterplan (dwg. no. 4036-B10-104-P8) has been submitted to support the application and to demonstrate that the remaining land within the Unit C site is still deliverable. This comprises two smaller logistics units C1 and C2 with associated car parking and service yard areas including landscape bunding and planting to the A41 and the existing Wretchwick End Cottages. This demonstrates that the site can still deliver employment development in a form which could be considered acceptable (should an application come forward). It is suggested that a planning application for these units is being prepared and will be submitted shortly.
- 8.26. The layout of the service yard comprises a central area, this main yard area is separated from staff car and cycle parking at the rear by a 2.4m high paladin fence which extends around the rear perimeter of the yard and building to provide safe areas for staff, segregated from the operational service yard area.
- 8.27. A number of ancillary structures are also proposed within the rear service yard, these are detailed in the submission and include smoking and vaping shelters; cycle shelters; Vehicle Maintenance Unit; Vehicle Inspection Hub; Technical Services Block; CCR Container; Sprinkler tank; Pump house; Van wash area; Van fuel area and other storage enclosures. These structures would be ancillary to the existing building. The siting of the structures is such that they are either screened by landscape planting or well related to the building so that no additional adverse visual impact would occur as a result of the proposals within the context of this logistics location.
- 8.28. A unilateral undertaking attached to the extant permission for the site includes an obligation to provide a 3m wide shared use pedestrian and cycle path to link into the wider Bicester 12 site, the location of which is indicated in the undertaking. This route has been indicated as being located to the northwest of the Unit B site running from the A41 along the site boundary to connect with the Wretchwick Green development has already been constructed in that location and comprises a 3m wide path within a 10m wide corridor.
- 8.29. To accommodate the extended service yard proposed to the rear of Unit B, the route is proposed to be realigned and has been included within the red line application boundary for consideration. The route remains at 3m in width within the 10m wide corridor and is accessed from the same point on the A41 so that the route is slightly extended and bends around the proposed service yard extension before running along the realigned northwest boundary of Unit B to meet the site boundary with the adjacent Wretchwick Green development.
- 8.30. Whilst the route is slightly extended and comprises a bend around the service yard extension along a small section adjacent to the A41, the shared footpath/cycleway remains straight and direct along the majority of the route.
- 8.31. It is noted that comments have been made by the Council's Landscape officer in respect of additional visual harm as a result of the realignment, and it is recommended that the boundary fence should be augmented with native trees and hedgerows.

- 8.32. Whilst native planting is to be encouraged, a swale is proposed to the length of the boundary fence for drainage purposes and as such further planting is not possible at this location. The proposed design, layout and approach to landscaping of the realigned footpath/cycleway follows the consented scheme (18/00091/F). Whilst the route would bend around the service yard, which could be more visible on approach from the south. Further, additional structural planting is proposed adjacent to the A41 which continues the existing tree belt and would provide some screening to the service yard so that the visual impact is reduced.
- 8.33. In addition, the safety of users of the footpath/cycleway also needs to be considered and some visibility between the route and the adjacent development is considered to offer better opportunities for natural surveillance of the route and reduce perceptions of danger, an issue which has been raised by Ambrosden Parish Council. The bend introduced is gentle and does not result in any tight corners where surveillance would be obscured. As set out the layout of the route and the proposed landscape scheme offer sensitive screening to the site whilst also achieving inter-visibility, comparable with the existing footpath so that there would be no additional adverse visual impact as a result of the proposals or perception of danger to users of the realigned route. The application also demonstrates that adequate visibility splays can be achieved along the realigned route for safe use by pedestrians and cyclists.
- 8.34. The occupation by Ocado also requires minor alterations to the north west and south west elevations of the building. These alterations have already been approved through Non-Material Amendment applications.

#### Transport, Access and Highway Safety

- 8.35. The application site is located to the east of the built-up area of Bicester but would be within comfortable cycle distance for many commuters from the town. With ongoing residential development at the Graven Hill site and further residential development at the adjacent Wretchwick Green site, the application site would also be within a comfortable walking distance for future residents.
- 8.36. Access to the Symmetry Park site is from the A41 and the application site benefits from access from the existing estate road to staff car parking at the front of the existing building and to the service yard at the rear.
- 8.37. The Ocado operation at Bicester will be a 24-hour operation and will employ 900 FT members of staff including office staff, production staff (personal shoppers), warehouse staff, and drivers. These staff members will operate varied shift patterns with the peak number of staff on site at any one time being around 300 (with around 135 staff being drivers).
- 8.38. As a result, an increased level of parking and servicing is required to reflect staff levels and shift patterns. The existing parking and servicing provision to serve Unit B comprises 102 car parking spaces (of which 83 are standard; 7 disabled; 12 EVC) to the front of the building. The current application seeks to substantially increase this to include an additional 119 car parking spaces (of which 107 are standard; 4 disabled; 8 EVC). A total of 221 spaces. Secure cycle parking is also proposed to be increased (from 52 spaces to 84 cycle parking spaces). These spaces will be located at the rear of the building within the extended service yard enclosed by security fencing to avoid conflict with the operation of the main service yard. Secure internal access is provided within the site to the main building to ensure the safety of staff moving around the site.

- 8.39. While the number of staff car parking spaces proposed is significantly above the County Council's standards, based on the number of staff expected on site and their shift patterns, it is accepted that a higher number of parking spaces would be necessary to accommodate shift changeover times, where a significant number of staff would be arriving as others are preparing to depart, and to avoid the potential for obstructions being caused by a lack of parking spaces during those times.
- 8.40. Nevertheless, given that there would be a greater number of parking spaces proposed than there would be staff on site, such a high provision of car parking is likely to encourage the use of private car travel to the site over and above other sustainable modes of travel.
- 8.41. OCC highway officers have therefore recommended that enhanced travel plan initiatives, such as the provision of free-to-use bikes be made available to staff (as is to be provided at the recently consented DPD site – Unit D) as well as improvements to pedestrian and cycle access to the development to ensure that attractive alternatives to the private car are made available. The submission of a site-specific travel plan will be required.
- 8.42. OCC officers have also requested that a contribution be sought towards the delivery of improved pedestrian and cycle facilities serving the site from the A41 to which the applicant has agreed.
- 8.43. The further improvement to pedestrian and cycle facilities on the A41 also addresses the comments of Bicester Bike Users Group which highlights the need to provide or contribute to safe and viable pedestrian and cycle links. Through the development of the Symmetry Park site, the applicant has already contributed towards the improvement of pedestrian and cycle provision on the A41 and the further contribution requested by OCC would provide for further improvements.
- 8.44. The footpath/cycleway links proposed from the Symmetry Park site to connect with the adjacent Wretchwick Green development also provide for further enhanced connectivity which will integrate with existing public rights of way and will extend the footpath and cycleway network in south east Bicester once the Wretchwick Green development is complete.
- 8.45. The application is accompanied by a Transport Assessment (TA) which has also been assessed by OCC Transport officers. The TA sets out that the significantly extended car parking and service yard provision, along with the proposed operational use by Ocado, will lead to a higher number of daily trips than the previously consented scheme.
- 8.46. This assessment, which is based on surveys from existing Ocado sites is accepted and has shown that the proposals are predicted to lead to an increase of 37 additional two-way vehicle trips in the AM peak hour and 21 in the PM peak over and above that which was previously assessed and accepted at the outline planning stage. There would also be an increase of 8 HGV movements in the AM peak hour.
- 8.47. Whilst OCC officers accept that this number of additional trips is unlikely to lead to severe traffic impacts in itself, it will add to the significant impact of cumulative traffic growth from new development in and around Bicester. As such, a contribution is sought by OCC towards strategic transport improvements for Bicester, namely the BIC1 scheme for a South East Perimeter Road which would be of direct benefit to the proposed development and the wider Symmetry Park.

- 8.48. It is therefore considered that, subject to securing the required obligations through the imposition of conditions and a S106 agreement, the proposals would be acceptable in terms of the impact on highway safety and the local highway network.
- 8.49. The delivery of the adjacent residential and employment site (Wretchwick Green) will also, in time, provide alternative walking and cycling routes toward Symmetry Park. These routes, along with improved infrastructure along the A41, will enhance access to the site by sustainable transport modes as required under national and local planning policy.

#### Impact on Neighbouring Amenity

- 8.50. The extant planning approvals for the Symmetry Park development have already established that development as proposed is acceptable and would not adversely impact the amenity of neighbouring occupiers.
- 8.51. The closest existing residential properties to the application site are the pair of cottages at Wretchwick Farm Cottages to the west of the site and Little Wretchwick Farm is located approximately 400m to the north of the site. The site also adjoins the Wretchwick Green development site where the land use plan for the mixed-use development shows commercial development.
- 8.52. The extant planning permission for Unit B (18/00091/F) imposed a condition to control noise output from the site and the applicant has confirmed that the Ocado operation can meet the requirements of the condition, which will be re-imposed. The application site is also located centrally within the Symmetry Park development with existing and proposed buildings providing enclosure to the service yard and sources of noise.
- 8.53. Additional landscaping and planting to the bund at the junction of the realigned footpath/cycleway with the A41 would further reduce any impact of the development on the surrounding area.
- 8.54. As such, it is considered that the proposals would not result in any further adverse impact to residential amenity in the vicinity of the site.

#### Landscaping

- 8.55. The submitted landscape proposals include the removal of a narrow strip of wildflower grassland aligning the southern edge of Unit B, the relocation of a break in the hedgerow at the northern boundary of the site and the relocation of a number of trees to align the redefined public footpath which runs north-south through the site.
- 8.56. The comments of the Council's Landscape officer, relating to the visual impact of the realigned footpath/cycleway have already been considered above. In addition, a Landscape Technical Note has been submitted to support the application. This reviews the landscape baseline through further field assessment and photographic survey of the character and fabric of the site and the surroundings of the site.
- 8.57. The field assessment confirmed that there were no additional visual receptors identified, other than those included in the ES accompanying the approved scheme (18/00091/F). A review of these viewpoints concluded that the proposed service yard extension would not give rise to any additional effects to those previously stated, and that there would be no material effect upon the existing baseline conditions.

- 8.58. Being smaller in scale to the main warehouse units, the extension of the yard and the additional buildings would result in some inter-visibility with the immediate surroundings, but would be barely perceptible in local views, with the main focus being the larger units.
- 8.59. The impact of the proposed development on the existing landscape of the site are set out as being restricted to the loss of the small slither of landscaping to the southern boundary, a result of the new fence and maintenance access; the relocation of a break in the hedgerow to realign the green corridor and the footpath/cycleway, together with the relocation of trees that line the current green corridor. It is also set out that trees planted at a higher density at the start of the green corridor and pedestrian/cycle way at the Junction with the A41, together with the extension of the landscape bund at this location, will further mitigate any adverse visual impact.
- 8.60. Taking the supporting Technical Note into account and the findings of the further review, it is considered that the landscape proposals already secured through the consented scheme (18/00091/F) and the additional measures to be implemented as part of the current scheme would secure adequate landscape mitigation appropriate to the impact.
- 8.61. On that basis, and notwithstanding, the comments of the Council's Landscape Officer, the proposals are considered to be acceptable and would not adversely impact the visual amenity of the area.

#### Ecology

- 8.62. An Ecology Technical Note is also submitted to support the application. This sets out that the impact of the proposed development on the ecological value of the site would be limited to the extension of the service yard along the western boundary of the site which currently supports a narrow strip of wildflower grassland which is identified to be of low ecological value. Recently planted young trees are also present.
- 8.63. A Biodiversity Method Statement and Management Plan was submitted along with the ES to support the original Hybrid application. These included an ecological assessment, which found that the habitats within the site were generally of minimal ecological value reflecting its agricultural use, and mitigation measures including the provision of new proposed habitats to provide enhancements to biodiversity.
- 8.64. The landscape proposals already approved for the unit B site have been developed on this basis and provide substantial structural tree planting and areas of new wildflower meadow planting. The current scheme would also provide for wet meadow grass habitat along the proposed swales to the edge of the footpath/cycleway as well as the extension of structural tree planting along the A41.
- 8.65. It is therefore considered that the proposed development would support the existing landscape and biodiversity enhancements already approved, providing additional habitat creation and enhancement without additional impact beyond those already assessed.

#### Flood Risk and Drainage

- 8.66. The site lies within Flood Zone 1. The likely water resource impacts for the Symmetry Park development were assessed as part of the original planning consent for the site (16/00861/HYBRID).

- 8.67. The ES submitted with the current application includes a Drainage Technical Note which assesses the proposed alterations to the service yard area and the operation of the site by Ocado. It concludes that there will be no material impact upon flood risk or water pollution controls.
- 8.68. Whilst additional impermeable area is proposed by way of the extended service yard, it is proposed that this can be accommodated within the site. A swale is also included to collect runoff from the proposed footpath.
- 8.69. An initial objection from OCC Drainage has been overcome through the submission of a revised Drainage Technical Note and the objection has been removed subject to the imposition of conditions to secure the approved drainage strategy.
- 8.70. As such, the proposals are considered to be acceptable in this regard and would not result in increased risk of flooding within the site or elsewhere.

#### Energy Efficiency and Sustainability

- 8.71. The consented scheme (18/00091/F) was accompanied by an Energy Statement which set out a commitment that the building would be constructed to BREEAM 'Very Good' standard and a condition was imposed on the consent to secure the provision of Photovoltaic panels on the roof of the building to further improve the sustainability credentials of the building.
- 8.72. The current proposals relate to the extension of the service yard only and the sustainability measures which can be included to support this development in isolation are limited, although sustainable drainage in the form of swales is proposed, as set out above.
- 8.73. In addition, the operation of a grocery delivery service from the site by Ocado is considered to contribute to sustainable development through the increased efficiency offered by multiple grocery deliveries within an area by one vehicle, thus resulting in the removal of individual private cars from the road. To support this, the applicant has set out that each Ocado customer spends an average £100 on an order, a scale of shopping which would require the customer to travel to the supermarket by car. An Ocado delivery van will deliver to approximately 20 customers per delivery route, essentially removing 20 individual private shopping trips by car from the road.

#### Planning Obligations

- 8.74. Despite the minor nature of the proposals, a need for infrastructure is generated and will need to be secured through a S106 planning obligation. Obligations within a S106 agreement must meet statutory tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Where planning obligations do not meet the statutory tests, they cannot be taken into account in reaching a decision.
- 8.75. Officers have had regard to the statutory tests in considering the application and recommend that the following items be secured through a S106 legal agreement in order to mitigate the impact of the proposed development;

Contribution	Amount £	Price base	Index	Towards (details)
Highway works	£72,490	April 2020	Baxter	Towards new and/or improved pedestrian and cycle infrastructure along the A41

Strategic Transport Contribution	£44,996	April 2020	Baxter	The Strategic Highway Infrastructure contribution (SEPR)
Footpath/ Cycleway links	Non-financial obligation			To secure footpath/cycleway links through the development to the wider Bicester 12 strategic policy allocation.
<b>Total</b>	<b>£117,486</b>			

8.76. Monitoring contributions may also need to be secured to cover the cost of monitoring and enforcing the obligations within the S106 agreement.

8.77. The District Council and County Council will also require an undertaking to cover their reasonable legal fees incurred in the drafting of the S106 agreement.

## **9. PLANNING BALANCE AND CONCLUSION**

9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.

9.2. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that planning applications be determined against the provisions of the development plan unless material considerations indicate otherwise. The NPPF supports the plan-led system and advises that planning applications which accord with an up to date development plan should be approved without delay.

9.3. The Council is committed to B8 development on this site through the strategic Bicester 12 policy allocation and the principle of development has already been accepted through the granting of planning permission as set out above.

9.4. The proposed extension of the existing service yard would facilitate the occupation of the existing building by a reputable business operation (Ocado) and would deliver a significant number of jobs, supporting the objectives of the CLP 2031 Part 1. The proposals would not result in any additional adverse impact over and above those which have already been considered through the granting of the extant planning permission and the development would not prejudice the further development and completion of the consented Symmetry Park development (in an amended form).

9.5. The information in the accompanying ES and the consultation responses received have been taken into account in considering this application and preparing this report. The ES identifies mitigation to overcome any adverse environmental impacts as a result of the development. This mitigation will need to be secured through conditions and/or legal agreements. As such, the conditions and obligations proposed incorporate the mitigation identified in the ES.

## **10. RECOMMENDATION**

That permission is granted, subject to the following conditions:

Time limits and general implementation conditions

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

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

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

Dwg no: 4036-B10-101-P9 Application Red Line  
Dwg no: 4036-B10-102-P3 Site Plan as Existing  
Dwg no: 4036-B10-103-P8 Proposed Site Layout Plan  
Dwg no: 4036-B10-104-P8 Symmetry Park Indicative Masterplan  
Dwg no: 4036-B10-105-P7 Proposed Site Fencing, Gates and Access  
Dwg no: 4036-B10-106-P6 Proposed Refuse Area  
Dwg no: 4036-B10-107-P7 Proposed Cycle and Smoking Shelters  
Dwg no: 4036-B10-108-P6 Proposed Vehicle Maintenance Unit (VMU)  
Dwg no: 4036-B10-109-P6 Proposed Technical Services Block (TSB)  
Dwg no: 4036-B10-110-P7 Proposed Vehicle Inspection Hut (VIH)  
Dwg no: 4036-B10-111-P7 Proposed Comms Enclosures (CCR)  
Dwg no: 4036-B10-112-P6 Proposed Sprinkler Tanks and Pump House  
Dwg no: 4036-B10-113-P5 Proposed LGV Yard Tracking  
Dwg no: 4036-B10-115-P9 Proposed Yard Layout - Detail Plan  
Dwg no: 4036-B10-116-P5 Proposed Van Wash & Fuel Area Canopies  
Dwg no: 4036-B10-200-P4 Site Sections  
Dwg no: 19-096-EX-001 PL3 Lighting Plan  
Dwg no: 4036-BC Schedule of all additional Ancillary building's structures- P2

Dwg no: edp2606\_d151-C-Detailed Landscape Design

Dwg no: 19-096-EX-001 External lighting (002)  
Symmetry Park Bicester Unit B External Luminaire Schedule (Rev C)

Environmental Statement Volume 1 Main Text  
Environmental Statement Volume 2 Appendices

- Transport Assessment 13411-HYD-XX-XX-RP-TP-4001-P05
- Technical Note Ecology edp2606\_r029-B-Ecology
- Technical Note Air Quality SPB-HYD-XX-ZZ-RP-Y-2001\_P05
- Technical Note P04 Drainage Strategy Technical Note
- Technical Note edp2606\_r030-E-Unit B Landscape Note edp2606\_r030-E-Environmental Statement Volume 3 Non- technical Summary

Noise Survey 13471-HYD-ZZ-XX-RP-Y-1001-P02  
Planning and Design and Access Statement

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



3. All planting, seeding or turfing comprised in the approved details of landscaping (edp2606\_d151c) 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 operation of the service yard, or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason – In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

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

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

5. The development hereby permitted shall be carried out strictly in accordance with the Drainage Strategy Technical Note P04 dated 12<sup>th</sup> February 2021 and the following plans:

C-13482-HYD-00-ZZ-DR-C-7000 - Drainage Strategy  
C-13482-HYD-00-ZZ-DR-C-7001 - Drainage Strategy  
C-13482-HYD-00-ZZ-DR-C-7003- Catchment plan  
C-13482-HYD-00-ZZ-DR-C-7100 - Flood Extents Plan  
C-13482-HYD-00-ZZ-DR-C-7200 - Maintenance Plan  
C-13482-HYD-XX-XX-SK-C-5100 - Drainage Details  
C-13482-HYD-XX-XX-SK-C-5100 - Existing swale location

The approved Drainage Strategy shall be fully implemented prior to the service yard area coming into first operation and shall be managed and maintained thereafter in perpetuity in accordance with the agreed management and maintenance plan.

Reason - To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

## Pre-commencement conditions

6. No development shall take place, including any works of demolition until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall be appropriately titled (site and planning permission number) and shall provide for at a minimum:
- Routing of construction traffic and delivery vehicles including means of access into the site;
  - Details of and approval of any road closures needed during construction;
  - Details of and approval of any traffic management needed during construction;
  - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway;
  - Measures to control the emission of dust and dirt during construction;
  - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions;
  - The erection and maintenance of security hoarding / scaffolding if required;
  - A regime to inspect and maintain all signing, barriers etc;
  - Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided;
  - Details of the loading and unloading of plant and materials and the use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc;
  - Details of arrangements for site related vehicles (worker transport etc);
  - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc;
  - A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted;
  - Any temporary access arrangements;
  - Delivery, demolition and construction working hours;
  - Storage of plant and materials used in constructing the development;
  - A scheme for recycling/ disposing of waste resulting from demolition and construction works.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

Reason: In the interests of highway safety and to ensure that the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

7. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

#### Pre-occupation conditions

8. Prior to the first occupation of Unit B, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note 'Using the Planning Process to secure Travel Plans' and its subsequent amendments shall be submitted to and approved in writing by the Local Planning authority. The plan shall incorporate site specific details of the means of sharing and encouraging reduced reliance on the use of private cars related to the development in favour of other modes of transport including the provision by the occupier of 10no. bicycles for use of staff employed on the site and means of implementation and methods of monitoring. Thereafter the approved Travel Plan shall be implemented and operated in accordance with the approved details.

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

9. Prior to the first occupation of Unit B, covered cycle parking facilities shall be provided on the site (as shown in drawing ref: 4036-B10- 103 Rev P8 and 4036-B10-107 P7). 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 promoting sustainable transport modes in accordance with Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and Government advice in the National Planning Policy Framework.

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

- As built plans (.pdf and .shp file format);
- Photographs to document each key stage of the drainage system when installed on site;

Management company information must also be provided clearly identifying the name of the company and contact details.

Reason – In accordance with section 21 of the Flood and Water Management Act 2010.

#### Ongoing regulatory conditions to be complied with at all times

11. Following the occupation of Unit B, no goods, materials, fixed plant or machinery, other than that approved by this permission, shall be stored, repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.

Reason - In order to safeguard the visual amenities of the area in accordance with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

12. Cumulative noise output from any mechanical ventilation or fixed plant associated with the development shall be noise attenuated or mitigated so that it achieves the following levels at 1m from the nearest receptors (listed below):

a) Daytime (0.700-23.00)

- i) Wretchwick Farm Cottages and Wretchwick Farm: 43dB LAeq
- ii) Little Wretchwick Farm: 34dB LAeq

b) Night-time (23.00-07.00)

- i) Wretchwick Farm Cottages and Wretchwick farm: 31dB LAeq
- ii) Little Wretchwick Farm: 28dB LAeq

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

13. The development hereby permitted shall be used only for purposes falling within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or 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 order to retain planning control over the use of the site and in view of the exceptional circumstances that justify approval in this case, and in the interests of highway safety and residential amenity, in accordance with Policies SLE1, SLE4, ESD1 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government Guidance in the NPPF.

Case Officer: Bernadette Owens

DATE: 23<sup>rd</sup> February 2021

Checked By: Andy Bateson

DATE: 25<sup>th</sup> February 2021

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