

Case Officer: Bernadette Owens

Recommendation: Approval

Applicant: Oxford Technology Park Limited

Proposal: Variation of conditions 1 (plans), 2 (materials) 3 (landscaping scheme), 5 (cycle parking), 6 (sustainability and energy statement) of 17/01542/REM - amendments to Units 1 and 3

Expiry Date: 21 June 2021

Extension of Time: 2 July 2021

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site, on the northern edge of Kidlington, is a 1.44ha rectangular piece of relatively flat land, located on the southern side of Langford Lane. The site forms part of a larger agricultural field. To the west of this field are the South Central Ambulance Service Resource Centre and Campsfield House Immigration Removal Centre. To the north, on the opposite side of Langford Lane, are buildings/hangers serving London Oxford Airport and to the east is the Oxford Motor Park which is home to a number of car dealerships. The southern boundary of the agricultural field abuts a large agricultural field which separates the application site and Campsfield House from the northern edge of Begbroke.
- 1.2. The site is part of a larger site which is the subject of outline planning permission for a technology park comprising 40,362sqm of office, research and development and storage and ancillary space, subject to a number of parameters and restrictions as set out in conditions and a planning obligation associated with the consent.
- 1.3. The application site lies inside the Oxford Green Belt. The development site is ecologically sensitive with a number of protected species having been identified within the vicinity; it has also been assessed as a possible UKBAP grassland habitat and is within 2km of the Rushy Meadows SSSI. The land falls within a mineral consultation area and is potentially contaminated.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application proposes amendments to the approved units 1 and 3 and has been set out by the applicant as follows:

Unit 1

- The panelling at the top of the roof line of the building as shown on all elevations. This was previously a single grey and white strip lengthways across the building and is replaced by a series of panels that follow the cladding pattern of the remainder of the approved building elevation;
- The removal of the brise-soleil solar shading system from the east, south and west elevations;
- The inclusion of a central entrance to the building as opposed to two side entrances on the southern elevation. Amendments to the internal stair configuration are required to reflect that new central entrance point;

- Amendments to the roof plant arrangement;
- There are no amendments proposed to the total car parking proposed (i.e. 100 spaces), but the four approved disabled spaces proposed are moved a few bays westwards and two Electric Vehicle ('EV') charging bays are proposed. Further, 30 covered cycle bays are proposed.

Unit 3

- The principal amendment to Unit 3 is to increase the approved internal mezzanine floor area from 464sqm to 2,204sm (gross internal area ('GIA'), with a minor reduction in ground floor area from 2,315sqm to 2,248sqm (GIA). The requirement to increase internal floorspace at mezzanine level arises as a consequence of a requirement to support both current and potential expansion plans of the occupier that would be accommodated at the site;
 - To reflect the increased internal floorspace, the external car parking layout is amended to increase the number of car parking spaces from 46 to 73 spaces, which includes an increase in disabled bays from two to five and the provision of two EV charging bays. The ability to increase the parking levels arises in part as a consequence of a reduced requirement for dedicated servicing space at the rear of the proposed unit. Further, 40 covered cycle bays are proposed;
 - The external appearance of the building is updated to reflect the occupier requirements for reduced levels of service access on the east elevation. Enhanced glazing is also proposed on the north, south and west elevations of the building. There are amendments to the pattern of materiality of the building proposed, which is different to that which was approved under the Reserved Matters, but not the colour palette of the materials proposed, and the updated appearance remains reflective of the previous approval, and the approved development at Unit 1.
- 2.2. The application therefore seeks the variation of condition 1 (plans) of the reserved matters approval to update the approved plans to reflect the proposed changes. In addition, conditions 3 (landscaping), 5 (cycle parking) and 6 (sustainability and energy statement) have already been discharged or updated information is included on the revised plans submitted with this application, so that these conditions can also be updated or removed.
- 2.3. After the submission of the application, the description of development was amended to include condition no.2 (materials) which had not already been formally discharged. Officers took the view that it was appropriate to deal with this matter through the determination of this application particularly given that the construction of Units 1 and 3 was already well underway. The plans submitted with the application already included detail of proposed materials, so it was not considered necessary to re-consult following the amendment to the description, and a separate discharge of condition application would not have required publicity or consultation. Further information including pictures of samples and material brochures have been submitted to support the removal of condition 2.

3. RELEVANT PLANNING HISTORY

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

14/02067/OUT - OUTLINE (all matters reserved) - New build Technology Park comprising 40,362sqm of office, research and development, laboratory, storage and ancillary space – APPROVED

16/00533/DISC - Discharge of Conditions 6 (means of access), 10 (surface water drainage scheme), 11 (drainage strategy), 12 (air quality impact assessment), 14 (low emission transport plan), 15 (reptile method statement), 16 (method statement for enhancing tree or shrub planting, areas of species rich grassland, habitat boxes for birds) and 18 (bird control management plan) of 14/02067/OUT – APPROVED

17/00559/F - Variation of conditions 1, 2, 3, 5, 7, 9 and 21 of 14/02067/OUT to enable proper phasing of the development – APPROVED

17/01542/REM - Phase 1 of Oxford Technology Park including details of siting, design, layout and external appearances of units referred to as 1 and 3 – APPROVED

18/00047/DISC – Discharge of conditions 3 (landscaping scheme); 5 (cycle parking) and 6 (sustainability and energy statement) of 17/01542/REM – APPROVED.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. Prior to the submission of the application, a meeting was held between the applicant and senior officers at CDC. The proposal was discussed including the scope and content of the application and the principle of the proposal was considered to be generally acceptable.

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 **7 May 2021**, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. No comments have been raised by third parties.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.
- 6.2. OXFORDSHIRE COUNTY COUNCIL: No objection.

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
- SLE4 - Improved Transport and Connections
- 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 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 - Local Landscape Protection and Enhancement
- ESD14 - Oxford Green Belt
- ESD15 - The Character of the Built and Historic Environment
- Kidlington 1 - Accommodating High Value Employment Need

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 - Layout, design and external appearance of new development
- ENV1 - Development likely to cause detrimental levels of pollution
- ENV12 - Contaminated land

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Kidlington Masterplan Part 1 (December 2016)

8. APPRAISAL

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

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Other matters

Principle of Development

8.2. The principle of the development on the site has previously been deemed to be acceptable and the Planning Practice Guidance advises:

In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application. A local planning authority decision to refuse an application under section 73 can be appealed to the Secretary of State, who will also only consider the condition/s in question. (Paragraph: 031, Reference ID: 21a-031-20140306)

- 8.3. Therefore, the principle of the development remains acceptable and the main issue to consider is whether the alterations raise any other material considerations which would result in unacceptable impacts.

Design and impact on the character of the area

- 8.4. The Government attaches great importance to the design of the built environment within the Framework. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 8.5. Policy ESD15 of the CLP 2031 Part 1, states that new development proposals should: be designed to improve the quality and appearance of an area and the way it functions...contribute positively to an area's character and identity by creating or reinforcing local distinctiveness...(and) respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings.
- 8.6. Saved Policy C28 of the CLP 1996 further states that control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the rural or urban context of that development.
- 8.7. The proposed amendments are considered relatively minor in the context of the approved scheme and wider site. The amendments to the fenestration are considered negligible in the context of the overall scheme and acceptable in design terms. The materials proposed are contemporary panel cladding in shades of grey characteristic of modern commercial development. The proposed materials are considered acceptable in the context and would result in a high quality contemporary finish to the buildings.
- 8.8. The increase in floorspace within unit 3 is wholly contained within the envelope of the building and would not exceed the total amount of floorspace approved as part of the Outline consent. When combined with the floor area of Unit 1, both units proposed will only provide 7,971sqm of employment generating floorspace, which is well within the parameters of 40,362sqm of floorspace approved under the Outline. There are no conditions on the Outline that limit the construction of additional floorspace at mezzanine level so that the addition of floorspace at mezzanine level could therefore be constructed within the unit without the requirement for planning permission once the building has been constructed and first operated.

Amenity of neighbouring land users

- 8.9. Having regard to its nature, scale and siting the proposed development would not result in any significant harm to the functionality or amenity of neighbouring land users.

Other matters

- 8.10. Although the proposal does not increase the quantum of floorspace that benefits from approval under the terms of the Outline consent and as such has already been assessed in highway terms, a Transport Statement is provided that demonstrates that there would be no adverse effects of the delivery of the additional floorspace at mezzanine level and that the level of car parking provided is sufficient.
- 8.11. OCC Highway officers have raised no objection to the proposal, noting that whilst there would be a substantial increase in mezzanine floor area in Unit 3, it is unlikely that the expected number of employees will increase significantly. However, OCC

officers are satisfied that the increase in number of car parking spaces and cycle parking spaces is reasonable.

- 8.12. The Highway officer has made comment on the number of Electric Vehicle charging points which now form part of the proposals. EV charging was not required as part of the Outline consent and cannot be insisted upon through this application. Nevertheless, the applicant has submitted revised layout drawings which increase the provision of EVCh to serve Unit 3.

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. For the reasons set out in this report, the proposal complies with the relevant Development Plan policies and guidance listed at section 7 of this report, and so is considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. 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:

Drawing Ref. 2604 AA(0) 10 Rev PL2 – Unit 1 Ground & First Plan
Drawing Ref. 2604 AA(0) 11 Rev PL2 – Unit 1 Second & Plant Floor Plan
Drawing Ref. 2604 AA(0) 12 Rev PL1 – Unit 1 Roof & Section
Drawing Ref. 2604 AA(0) 101 Rev PL1 – Unit 1 External Canopy
Drawing Ref. 2604 AA(0) 14 Rev PL1 – Unit 1 North & South Elevations
Drawing Ref. 2604 AA(0) 15 Rev PL1 – Unit 1 Elevations & Sections
Drawing Ref. 2647 101 Rev PL3 – Building 3 Ground Floor Plan
Drawing Ref. 2647 102 Rev PL3 – Building 3 First Floor Plan
Drawing Ref. 2647 103 Rev PL2 – Building 3 Roof Plan
Drawing Ref. 2647 104 Rev PL3 – Building 3 West & South Elevations
Drawing Ref. 2647 105 Rev PL3 – Building 3 North & East Elevations / Section
Drawing Ref. 2647 106 Rev PL3 – Building 3 Section Elevations GL B&H
Drawing Ref. 2647 190 Rev PL1 – Building 3 Proposed Bin Recycle Storage
Drawing Ref. 2604 190 Rev PL1 – Building 1 Proposed Bin Recycle Storage
Drawing Ref. 2647 200 Rev PL4 – Unit 1 & 3 Site Plan
Drawing Ref. 2647 201 Rev PL4 – Unit 1 & 3 Proposed Fencing Diagram
Drawing Ref. 2647 202 Rev PL4 – Unit 1 & 3 Proposed Cycle Locations
Plan Ref. 13045_RM1001 P0 – Site Location Plan
Plan Ref. OS 1346-16.4 – Soft Landscape Plan Unit 1 and Unit 3
Plan Ref. OS 1346-16.3 – Soft Landscape Plan Unit 3
Material Schedule – Rev A OTP Unit 3 – 21/06/2021
Material Schedule – Rev A OTP Unit 1 – 21/06/2021

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.

2. 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 occupation of the building(s) 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 ESD15 of the Cherwell Local Plan Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

3. Prior to the first use of the development, the sustainability measures approved under planning condition discharge ref. 18/00047/DISC will be implemented in accordance with those details so approved.

Reason - To ensure sustainable construction and reduce carbon emissions and to comply with Policies ESD1, ESD2, ESD3, ESD4 and ESD5 of the Cherwell Local Plan Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Bernadette Owens

DATE: 01.07.21

Checked By: Andy Bateson

DATE: 2nd July 2021
