



Quod

Planning Statement

Skimmingdish Lane,
Bicester

JUNE 2021

Q100411

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1 Introduction

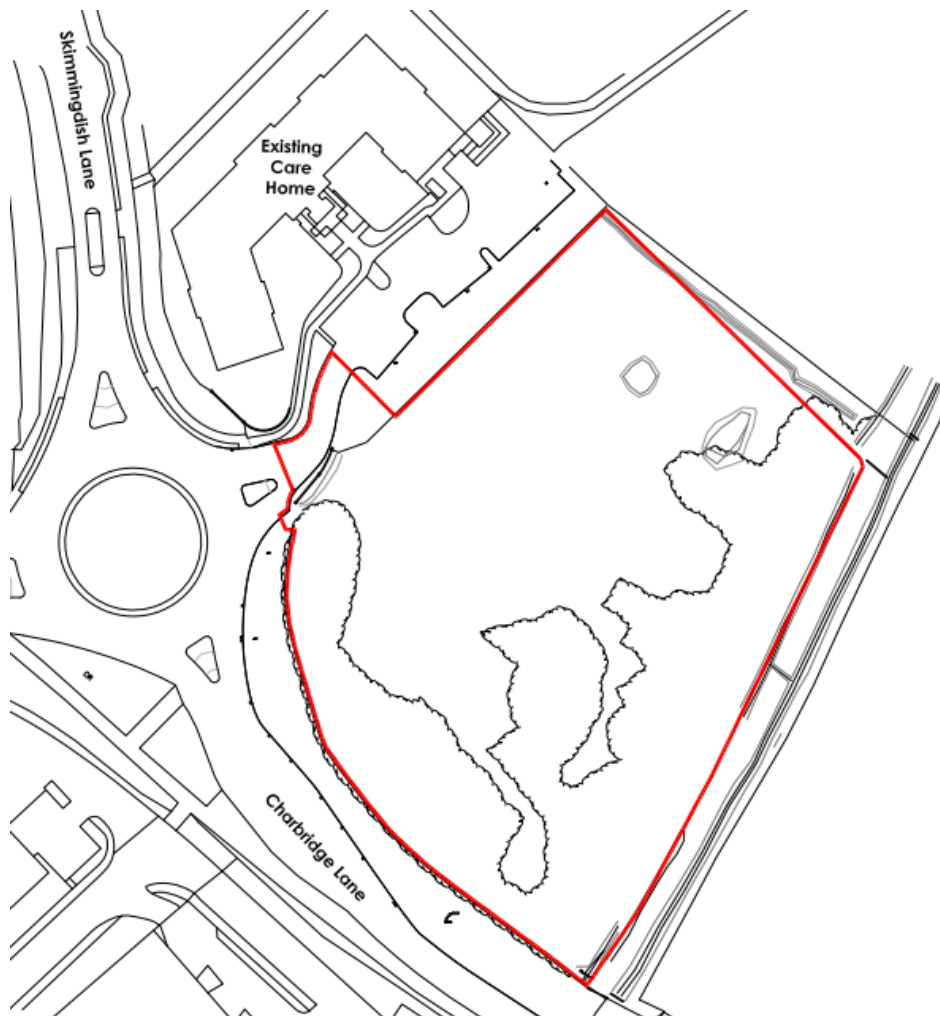
- 1.1 This Planning Statement is submitted on behalf of Created Life Three (Bicester) Limited (“the Applicant”) in support of a full planning application for a drive-thru facility (Use Class E(a/b)) with associated access, car parking, landscaping and servicing at land off Skimmingdish Lane and the roundabout junction with Launton Road, Bicester (“the Site”).
- 1.2 The proposals are occupier led, with Greggs being the named operator. They will meet sustained demand for a drive-thru unit in Bicester, whilst also bringing this residual small scale element of a long standing development plan allocation into beneficial economic use.
- 1.3 The Site forms part of wider allocation (Policy Bicester 11) which supports the principle of development at the Site, focussed on employment (former Use Class B1) generating uses.
- 1.4 The nature and scale of the proposed development represents the only realistic means by which to support jobs on this part of the allocation which is heavily constrained by its limited scale, relationship to existing development and flood risk.
- 1.5 The proposals fall within Use Class E – Commercial Business and Service – which now supersedes the former Class B1, and the unit will complement and add to the attraction of the large quantum of employment floorspace in this area of Bicester.
- 1.6 This Report considers the proposed development in relation to relevant local and national planning policies. It should be read alongside the other plans and documents forming the planning submission.
- 1.7 In doing so, it is concluded that the proposals accord with the general principles and objectives of the development plan allocation, and that there are no development management considerations which outweigh the benefits of granting planning permission.
- 1.8 The remainder of this Statement is structured as follows:
 - **Section 2** sets out the relevant factual background to the application;
 - **Section 3** outlines relevant local and national planning policy;
 - **Section 4** explains the development proposals which consent is sought for;
 - **Section 5** assesses the appropriateness of the scheme; and
 - **Section 6** concludes the Statement and summarises its key findings and conclusions.

2 Factual Background

Site and Surrounding Area

- 2.1 The application site is located on the north eastern edge of Bicester on land to the east of the Launton Road Roundabout. It extends to 1.16ha (**Figure 2.1**), although the main developed area is far smaller (0.28ha) in order to minimise flood risk impacts.

Figure 2.1 – Site Location Plan



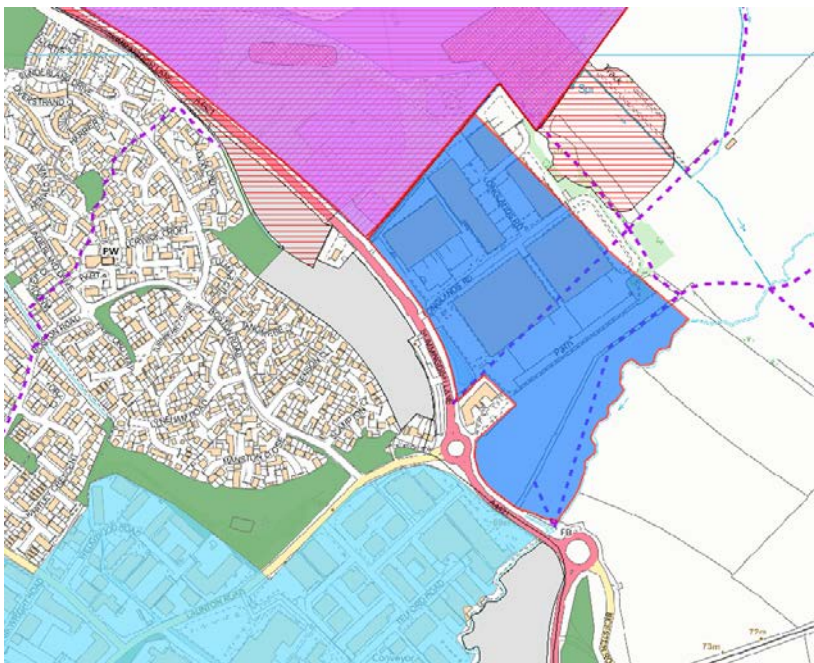
- 2.2 The Site is bound to the east by agricultural fields and the tributary to the River Cherwell. To the south is the 'floodplain' of the tributary before it runs under Skimmingdish Lane and the Bicester Business Park beyond that. Wyndham Hall Care Home is located to the north, sharing the same vehicular access to the roundabout, and beyond this is the recently completed Link9 Business Park, a major new distribution centre complex. To the west, beyond Skimmingdish Lane is the main north Bicester residential area.

- 2.3 The relationship with the care home has been a key factor changing evolution of the proposals. As part of the consultative work the Applicant is proposing additional landscaping between the drive thru lane and the care home boundary. It is however of note that this south eastern frontage to the care home is where the main area of development and operational activity is focussed, with the resident gardens and non-active frontages focussed on the opposite north-western elevation (having a relationship with Skimmingdish Lane and the Link9 development).
- 2.4 The Site primarily comprises un-maintained scrub, the limited value of which is described in the accompanying Ecological Appraisal (and Bio-diversity Assessment).
- 2.5 The Site is accessible by public transport. There is a bus stop directly south of the Site which is served by bus number 28, which provides access to Bicester town centre, and S5 Gold which provides access to Oxford city centre.
- 2.6 The Site is accessible by foot or cycle with a dedicated cycleway along the western side of Skimmingdish Lane and a public footpath on the northern side of the Site access road.

Site Designations

- 2.7 The Site is located within allocated Employment Land at North East Bicester on Cherwell District Council's ("CDC") Policies Map (Policy Bicester 11 of the Cherwell Local Plan) (**Figure 2.2**).

Figure 2.2 – Extract from CDC's Policies Map



- 2.8 The Site lies in an area designated by the Environment Agency as mainly in Flood Zone 3, with small areas in Flood Zones 1 and 2. This designation has been refined alongside the Environment Agency as outlined within the Flood Risk Assessment.

- 2.9 The RAF Bicester Conservation Area is located c.380m north west of the Site which also contains two World War II airfields which are designated as Scheduled Monuments. A significant extent of built form now exists between the Site and the Conservation Area, and this relationship is addressed in detail within the Archaeological and Built Heritage Assessment.
- 2.10 A public right of way (ref 272/15/20) is located to the east of the Site and provides access to the surrounding agricultural fields.
- 2.11 The Site is not subject to any further environmental or ecological designations.

Planning History

- 2.12 Outline planning permission was granted at appeal in 2007 (ref 05/01563/OUT) for B1 office development with associated parking, turning and landscaping areas. Reserved matters consent (ref 09/01659/REM) for an office development of 9 units granted in May 2011 (**Figure 2.3**). The approved layout demonstrates that the scheme was a comprehensive proposal including the application site, and the site of the care home.

Figure 2.3 – Approved Reserved Matters Layout



- 2.13 During the period between the outline application being approved and the reserved matters submitted, there were changes to the Environment Agency's modelling with part of the site being included within the functional floodplain. Extensive mitigation was proposed to allow the office buildings to form an active frontage to Skimmingdish Lane and the proposed internal road network.
- 2.14 Although this form of development was never implemented, it has established the principle of development on site, particularly in relation to traffic generation and the appropriateness of additional traffic movements on the roundabout junction.

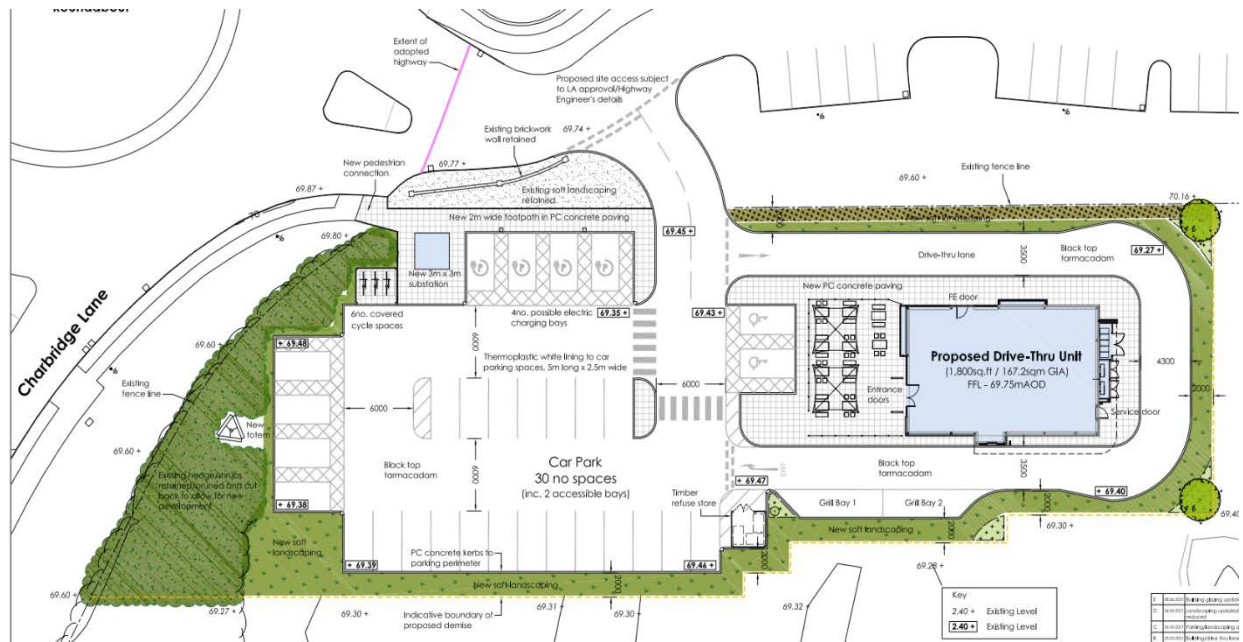
Summary

- 2.15 The Site is located in a sustainable and accessible location on the edge of Bicester, with bus stops located on Skimmingdish Lane and a dedicated cycleway along the southern side of Skimmingdish Lane.
- 2.16 The area is surrounded by commercial land uses in the form of the logistics development to the north and the business park to the south, much of which has been constructed within the past few years. The application site is ideally located to serve this commercial focus.
- 2.17 The Site comprises scrubland including material leftover from construction of the care home, and is allocated for development in the Cherwell Local Plan. The focus of the allocation in this location is on B1 use which now falls within Class E, as per the application proposals.
- 2.18 Flood risk and the relationship with the adjoining care home represent key development management issues to address as part of the planning balance, within the context of development plan support for development on the site, and previous planning permissions granted for development on the site.

3 Proposed Development

- 3.1 Full planning permission is sought for the erection of a 167sqm unit coffee unit with drive-thru and indoor seating with associated access, car parking, landscaping and servicing parking (**Figure 3.1**). The unit will be occupied by Greggs who already have a presence in the town.

Figure 3.1 – Proposed Site Plan



Layout

- 3.2 The unit would be located to the north of the Site with a one way drive-thru lane operating in a clockwise direction, wrapping around the unit to the west, north and east.
- 3.3 The Site has been designed to ensure the built development is located beyond the areas at high risk of flooding.
- 3.4 Customer car parking is located in the south western portion of the site, located so as not to interfere with the drive-thru lane.
- 3.5 As well as providing seating indoors, an outdoor seating area will be provided to the south west of the unit.

Access

- 3.6 Vehicular access to the development will be taken from the existing access road on the eastern arm of the A4421/Launton Road Roundabout, which currently serves Wyndham Hall Care Home.

- 3.7 New pedestrian infrastructure into the Site will be created from the access road with a 2m wide footway. This will provide links to the existing footway network on the roundabout.
- 3.8 Car parking is proposed for 30 no. spaces including 2 no. disabled spaces and 4 no. electric vehicle charging bays. Two waiting bays will also be provided near the exit of the drive-thru. Two pedestrian crossing will be provided on site to enable safe pedestrian movements.
- 3.9 The car park has been laid out to accommodate a further four electric vehicle charging points should demand require them.
- 3.10 Three covered Sheffield stands will be provided for cycles which provides a total of six spaces for staff and customers, in line with Oxfordshire County Council's Cycling Strategy.

Design and Landscaping

- 3.11 The proposed single storey building is of a modern design and comprises a simple palette of materials including blue and grey horizontal cladding. The main entrance to the unit will be glazed to add visual interest to the key elevation and allow natural light to the indoor seating area.
- 3.12 Soft landscaping features are proposed along the boundaries of the Site to minimise visual impacts on the surrounding open fields and soften and break up the appearance of the building and drive-thru lane and parking areas. The existing hedge forming the boundary between the Site and Skimmingdish Lane will be retained and enhanced, where necessary.

Operation

- 3.13 The proposed occupier of the unit trades under Use Class E (a/b) and will sell both hot and cold food and drinks. Predominantly goods are prepared and packaged off site, though some bakery items will be cooked on site. There will be retail display units and a food service counter, but there are no facilities on site to cook meals from scratch.
- 3.14 The unit will require a single delivery per day, plus a four waste collections per week. The deliveries are timed to minimise any disruption or inconvenience to customers or other parties utilising the existing access road. They will not generate peak hour traffic movements on the local highway network.
- 3.15 The unit will be open 24 hours a day.
- 3.16 The proposed operator is alive to the national climate change emergency and is addressing the climate impact of every area of their operations from their manufacturing sites to measures on a site by site basis.
- 3.17 Sustainability measures at the Site include the introduction of four electric vehicle charging points, delivering a biodiversity net gain on site, and increased surface water attenuation and flood storage.

- 3.18 The proposals are expected to generate 19 positions, including one full time manager. Which will be drawn from the local area. The remaining contractors will be offered on a part time basis between 8 and 25 hours per week,

4 Relevant Planning Policy and Guidance

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 4.2 The National Planning Policy Framework ("NPPF") (February 2019) is one such material consideration. It introduces the presumption in favour of sustainable development which means granting planning permission for development that accords with an up to date development plan, or where relevant development plan policies are out of date, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (Paragraph 11)

Development Plan

- 4.3 The Development Plan for CDC comprises:
- Cherwell Local Plan 2011-2031 ("CLP") (adopted July 2015)
 - Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need (September 2020)
 - Cherwell Local Plan (1996) Saved Policies ("CLP SP")
 - Oxford County Council Minerals and Waste Local Plan (1996) Saved Policies ("MWLP SP")
- 4.4 Relevant policies of the development plan are set out in the Policy Matrix provided at **Appendix 1**. This Section of the report summarises the key 'in principle' policies only, rather than replicating each relevant development management policy.
- 4.5 The Site falls within the wider Policy Bicester 11 allocation under the CLP. The allocation supports the principle of comprehensive development and for employment uses in particular (B1, B2 and B8).
- 4.6 Policy Bicester 11 introduces a range of site-specific development management considerations. These include the need for:
- A green buffer with planting immediately adjacent to the Care Home and beyond this, B1a development to surround the Care home in order to protect residential amenity.
 - No built development be located in Flood Zone 3b.
 - A Travel Plan to accompany a Transport Assessment.
 - Ecological Surveys.
 - Archaeological and Heritage Assessment.
 - A Flood Risk Assessment.
 - An assessment of agricultural land impacts.

- 4.7 In line with Paragraph 86 of the NPPF, Policy SLE 2 of the CLP requires the sequential test to be satisfied for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date development plan allocation.

Summary

- 4.8 Development of the site is supported in principle via the Bicester 11 allocation.
- 4.9 There is policy support for non-employment uses, including main town centre uses, on employment sites, where certain criteria are met. This approach is reinforced via the introduction of Class E (within which the proposed development falls) in recognition of the general employment generating potential of a wider range of uses.
- 4.10 The proposed use will need to be subject to sequential testing in accordance with the NPPF, despite the introduction of Class E, in addition to the further development management considerations highlighted through the site allocation process.

5 Planning Assessment – Principle of Development and Use

- 5.1 The adopted development plan supports the principle of development at the Site.
- 5.2 Policy Bicester 11 requires no built development to be located within Flood Zone 3b. In accordance with this policy only a small part of the car park is within Flood Zone 3b, as referenced in further detail within the Flood Risk Assessment.
- 5.3 The principle of development on the site is, therefore, supported by the development plan. This is further established through reference to the planning history of the site.
- 5.4 Policy Bicester 11 of the CLP effectively limits this support to Use Class E (former B1) uses due to the relationship with the care home, subject to other considerations, although it is noted that the Link9 development (Class B2/B8) shares a relationship with the care home and its private gardens.
- 5.5 The former B1 Use Class now forms part of the new Class E, the same use class as the proposed development. In this regard, the proposals could be considered to comply with the adopted development plan allocation. The development will generate new jobs in addition to supporting existing and committed employment uses in the local area.
- 5.6 The proposed use is an employment generator in its own right, falls within the same use class as the development plan supported use on this part of the site, and will support the wider attractiveness of the allocation (and nearby business park) as a significant employment location on the edge of Bicester.
- 5.7 Although the outline and reserved matters consents have expired, they also demonstrate the appropriateness of development at the Site.
- 5.8 The proposed development would result in the introduction of a main town centre use in an out of centre location. In accordance with Paragraph 86 of the NPPF and Policy SLE 2 of the CLP, a sequential assessment has been undertaken (**Section 6**) and demonstrates that there are no sequentially preferable sites to accommodate the development.
- 5.9 The principle of development on the site for the use proposed is considered to accord with the development plan.

6 Planning Assessment - Sequential Test

- 6.1 The NPPF requires compliance with the sequential assessment for main town centre uses that are not in an existing town centre or in accordance with an up-to-date Development Plan (Para 86). Policy SLE 2 of the CLP broadly reflects the approach of the NPPF.
- 6.2 It is a well-established principle that a degree of flexibility is required in relation to the format and scale of the proposals, in addition to application of the sequential approach.
- 6.3 The Planning Practice Guidance provides some limited advice on the application of the sequential test, stating that it needs to be *“proportionate and appropriate for the given proposal”*.
- 6.4 It also recognises that in applying the sequential approach, there are certain main town centre uses that have specific locational requirements:

“Use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which means that they may only be accommodated in specific locations” (Para. 012, Reference ID: 2b-012-20190722).

- 6.5 These factors are pertinent in considering the form and nature of development proposed by this application.
- 6.6 As set out in Section 3, the proposals seek to accommodate the national multiple food and beverage operator, Greggs, who already has a presence in the town, but not in a drive-thru format.
- 6.7 Although identified as a main town centre use, drive-thru units are not easily accommodated within town centres due to the space requirements of the drive-thru infrastructure. This common sense observation was recognised by an Inspector in Trowbridge¹, for example, in concluding that the scope to provide large sites to accommodate drive-thru facilities, which can be readily accessed by car, is a limiting factor in many town centre locations.
- 6.8 It is expected that the development will primarily serve employees from nearby employment premises, and passing vehicle trade. The nature of the proposed development means that it will not divert trade away from similar facilities in Bicester town centre.
- 6.9 Within this context the sequential assessment has been undertaken based on the following parameters:
- Ability to accommodate a drive-thru lane, which is a key component of the proposed development;

¹ Appeal Ref: APP/Y3940/A/10/2142004

- Located on a key traffic route which benefits from passing trade, and can accommodate volume of vehicle movements. Locations that lack main road frontages would not be appropriate;
- A minimum floorspace of 139 sqm (lower than that proposed).
- Requirement for on-site parking; and
- Adequate servicing arrangements capable of receiving deliveries by 11m service vehicles.

6.10 These criteria allow for flexibility in scale and format, whilst not prejudicing the ability to deliver a feasible and viable form of development.

Site Assessment

6.11 A thorough desk top assessment has been undertaken of all realistic opportunities within, or on the edge of Bicester town centre. This has also taken account of sites that the LPA has previously asked other applicants to consider in relation to similar schemes.

6.12 Each site has been individually assessed based on the principles outlined above. It is concluded that none of the identified sites are suitable and/or available to accommodate the proposed development.

6.13 **Table 6.1** summarises the assessment with further details of the assessed sites contained in the proformas at **Appendix 2**.

Table 6.1 – Summary of Assessed Sites

| Site | Size (ha) | Suitable | Available |
|--|-----------|----------|-----------|
| St Edburg's Hall, London Road, Bicester | 0.04 | ✗ | ✓ |
| 9 Victoria Road, Bicester | 0.02 | ✗ | ✗ |
| Unit Ey1A Bure Place, Bicester | 0.09 | ✗ | ✓ |
| 34 Sheep St, Bicester | 0.04 | ✗ | ✓ |
| 44 - 46 Sheep Street, Bicester | 0.09 | ✗ | ✗ |
| Land to the north of Pringle Drive, Bicester | 4.77 | ✗ | ✗ |
| Land to the rear of 8 Manchester Terrace, Bicester | 0.73 | ✗ | ✗ |
| Land at Deans Court and Claremont Car Park, Bicester | 0.7 | ✗ | ✗ |

6.14 Having adopted a flexible approach it is concluded that there are no sequentially preferable units or sites in, or on the edge of, Bicester Town Centre that are capable of accommodating the proposed development. The proposals accord with the requirements of the sequential approach, as set out in Paragraph 86 and Policy SLE 2 of the CLP.

7 Planning Assessment – Other Material Considerations

Design

- 7.1 The design of the scheme is sympathetic to the commercial context of the surrounding area and includes high quality materials that will function well and add to the overall quality of the area over the lifetime of the development.
- 7.2 The building will be of a contemporary design incorporating a mixed palette of materials, and complemented by a good quality landscape setting, reflecting the sites relationship with the edge of the urban area.
- 7.3 The proposals comprise a high quality, well designed approach to the urban edge and accord with Policy 28 of the CLP SP and Policies Bicester 11 and ESD 15 of the CLP.

Heritage and Archaeology

- 7.4 An Archaeology and Built Heritage Assessment (ABHA) has been undertaken at the Site. This concludes that no significant archaeological finds or features have been identified within the Site and as such, no harm to any archaeological heritage assets is anticipated from the proposed development.
- 7.5 The ABHA also concludes that due to distance, lack of inter-visibility, and/or historical association, the proposed development site is not considered to contribute to the significance of any identified heritage assets, such as the RAF Bicester Conservation Area.
- 7.6 The proposed development complies with Policy C25 of the CLP SP and Policies ESD 15 and Bicester 11 of the CLP.

Highways

- 7.7 The Transport Statement (TS) submitted alongside this application assesses the potential impact of the development on the local highway network, and the accessibility of the site by alternative modes, notably cycle, pedestrian and public transport links.
- 7.8 The TS concludes that new trips to the unit are likely to derive from the local area as customers are unlikely to travel from beyond Bicester or further afield when there are nearer similar facilities nearby. It also concludes that the generation of vehicle movements through the Skimmingdish Lane/Launton Road roundabout will not result in a severe traffic impact; i.e. no reason to resist the grant of permission.
- 7.9 A Travel Plan has also been submitted alongside this application to encourage staff to travel to work via sustainable transport modes and reduce the number of journeys made by private car.

- 7.10 The scheme will provide 30 parking spaces, including 4 rapid electric vehicle charging spaces, and six cycle spaces which complies with Oxfordshire County Council's parking standards.
- 7.11 Policy Bicester 11 of the CLP requires the provision of new footpaths and cycleways to connect with the existing footpath/cycleway links around the allocation. The site access will be provided with a footway on its western side, which will tie in with the existing footway network on the roundabout, in compliance with the application .
- 7.12 Policy SLE 4 and Bicester 11 of the CLP has been satisfied.

Flood Risk and Drainage

- 7.13 The Site is located partly within Flood Zone 1, Flood Zone 2 and Flood Zone 3 and as such, consideration has been given to the potential impact of the proposed development on future users and on flood risk off-site. The Applicant has consulted with the Environment Agency to ensure the scheme complies with their requirements and is supported.
- 7.14 The Flood Risk Assessment (FRA) outlines how the flood zones have been refined and modelled in conjunction with the Environment Agency to ensure that a developable area can be defined at the Site.
- 7.15 The FRA also identifies flood mitigation measures, including setting finished floor levels at no lower than 69.750m and providing an underground tank for flood storage. The FRA concludes that the proposals do not increase the flood risk elsewhere and are safe for the lifetime of the development.
- 7.16 In accordance with Policy Bicester 11, no built development is located within Flood Zone 3b. Only certain areas of hardstanding are, including a small proportion of the drive-thru lane and the southern most area of the car park.

Noise

- 7.17 The Noise Assessment (NA) identifies Wyndham Hall care home to the north as the closest noise sensitive receptor and assesses noise arising from fixed plant equipment, drive-thru activity and car parking.
- 7.18 The NA concludes that noise from the operation of the unit and drive-thru would not adversely affect the amenity of existing residents.
- 7.19 Policy SLE 4 of the CLP has been satisfied.

Ecology

- 7.20 A Preliminary Ecological Appraisal (PEA) has been undertaken at the Site. This concludes that the grassland and scrub on site is in poor to moderate condition and recommends that scrub and vegetation clearance should be done under a watching brief from a qualified ecologist to avoid potential harm to nesting birds and reptiles.

- 7.21 A Biodiversity Assessment has also been undertaken which identifies that the proposals will result in a net gain through the introduction of enhanced value, managed soft landscape features.
- 7.22 The development accords with Policy ESD 10, and paragraph 170 of the NPPF.
- 7.23 Policy Bicester 11 requires an assessment of whether the Site (and wider allocation) contains best and most versatile agricultural land. The Site is not in agricultural use and therefore, the proposed redevelopment of the Site would not impact on the supply of the best and most versatile agricultural land.

Climate Change Sustainability

- 7.24 As outlined in Section 3, the Applicant is alive to the national climate change emergency and is proposing a range of sustainability measures at the Site.
- 7.25 Increased surface water attenuation and flood storage is proposed on site which will slow the rate of water entering the drainage network and therefore reduce the risk of flooding and the impact on the natural environment.
- 7.26 Four electric vehicle charging points are identified on site for use by customers and staff. The car park has been laid out to accommodate a further four electric vehicle charging points should demand require them.
- 7.27 High quality soft landscaping features are proposed throughout the Site which will provide habitats for species as well as making it an attractive environment for visitors.

8 Conclusion

- 8.1 This Report has been prepared to support a full planning application for the development of a Greggs drive-thru facility and shop serving food and drink on the go at the Site.
- 8.2 The proposals accord with the overarching objectives of the adopted development plan in terms of supporting economic growth and supporting investment at Bicester 11. The use class of the proposal includes the former B1 use which is specifically supported through the development plan allocation, and it is clear that the development will not adversely affect the supply of employment land in Bicester.
- 8.3 Indeed, the proposals will add to the wider attractiveness of the area as a significant employment location on the edge of Bicester, and deliver jobs locally and investment in its own right.
- 8.4 There are no suitable and available sequentially preferable sites to accommodate the proposed development.
- 8.5 The proposals will not result in any material negative development management impacts and will make a positive economic and environmental contribution to the local area.
- 8.6 Therefore, it is concluded that planning permission should be granted without delay.



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Appendix 1

Planning Policy Matrix



Note

Development Plan Policy Matrix

The Development Plan for Cherwell District Council comprises: i) The Cherwell Local Plan 2011-2031 (adopted July 2015); ii) Cherwell Local Plan (1996) Saved Policies; and iii) Oxford County Council Minerals and Waste Local Plan (1996) Saved Policies.

| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
|--|---|--|---|-----------------------|---|
| Cherwell Local Plan (1996) Saved Policies | | | | | |
| Design | | | | | |
| Policy C25 | Development affecting the site or setting of a scheduled ancient monument | In considering proposals for development which would affect the site or setting of a scheduled ancient monument, other nationally important archaeological sites and monuments of special local importance, the council will have regard to the desirability of maintaining its overall historic character, including its protection, enhancement and preservation where appropriate. | Para 193 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. | Full | The Archaeology and Built Heritage Assessment concludes due to distance, lack of inter-visibility, and/or historical association, the proposed development site is not considered to contribute to the significance of any identified heritage assets, such as the scheduled ancient monument within the RAF Bicester Conservation Area. |
| Policy C28 | Layout, design and external appearance of new development | Control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as conservation areas, the area of outstanding natural beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will normally be required. | Para 124- Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Para 127 - Planning policies and decisions should ensure that developments: b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting. | Full | The design of the scheme is sympathetic to the commercial context of the surrounding area and includes high quality materials that will function well and add to the overall quality of the area over the lifetime of the development. The building will be of a contemporary design incorporating a mixed palette of materials, and complemented by a good quality landscape setting, reflecting the sites relationship with the edge of the urban area. |
| Policy C32 | Provision of facilities for disabled people | In considering proposals for development the council will support measures that provide, improve or extend access facilities for disabled people. | Para 127 - Planning policies and decisions should ensure that developments: f) create places that are safe, inclusive and accessible | Full | The scheme provides for disabled access, including 2 no. disabled parking spaces, to ensure access for all. |
| Cherwell Local Plan 2011 - 2031 | | | | | |
| Presumption in Favour of Sustainable Development | | | | | |



Note continued

| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
|---|--|---|--|-----------------------|---|
| Policy PSD 1 | Presumption in Favour of Sustainable Development | <p>When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none">any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; orspecific policies in the Framework indicate that development should be restricted. | <p>Para 7- The purpose of the planning system is to contribute to the achievement of sustainable development.</p> <p>Para 11- Plans and decisions should apply a presumption in favour of sustainable development.</p> | Full | The proposal represents a sustainable form of development and therefore benefits from the presumption in favour of sustainable development, meaning planning permission should be granted without delay. |
| Policies for Developing a Sustainable Local Economy | | | | | |
| Policy SLE 1 | Employment Development | <p>Policy SLE1 states that employment development on new sites allocated in the Plan will be the type of employment development specified within each site policy in Section C of the Local Plan. Other types of employment development (B Use class) will be considered in conjunction with uses set out if it makes the site viable.</p> <p>In cases where planning permission is required existing employment sites should be retained for employment use unless the following criteria are met:</p> | <p>Para 80 - Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.</p> | Full | <p>The three criteria within the Policy are not directly applicable to the proposals (the site is not in existing employment use) they are helpful in articulating the appropriateness of the use within the context of the allocation.</p> <p>5.8 There will be no loss of existing employment premises (criterion (i)). The developable area is so small that an office based scheme, for example, would be considered to be unviable due to the very limited footprint alongside necessary car</p> |



Note continued

| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
|---------------------|------------------------------------|---|--|-----------------------|--|
| | | <ul style="list-style-type: none">i. the applicant can demonstrate that an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term.ii. the applicant can demonstrate that there are valid reasons why the use of the site for the existing or another employment use is not economically viable.iii. the applicant can demonstrate that the proposal would not have the effect of limiting the amount of land available for employment. | | | parking and other infrastructure requirements (criterion (ii)). For the same reason, the removal of this site from the potential supply of future employment land is negligible, and in practical terms non-existent due to the lack of a feasible development scenario (criterion (iii)). |
| Policy SLE 2 | Securing Dynamic Town Centres | <p>Retail and other 'Main Town Centre Uses' will be directed towards the town centres of Banbury and Bicester and the village centre of Kidlington in accordance with Policies Bicester 5, Banbury 7 and Kidlington 2. The Council will apply the sequential test as set out in the NPPF as follows:</p> <ul style="list-style-type: none">- Proposals for retail and other Main Town Centre Uses not in these town centres should be in 'edge of centre' locations. Only if suitable sites are not available in edge of centre locations should out of centre sites be considered.- When considering edge of centre and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre. <p>The Council will consider if the proposals satisfy the sequential test and if they are likely to have a significant adverse impact on one or more of the factors in the NPPF. All proposals should comply with Policy SLE 4.</p> | <p>Para 86 - Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.</p> <p>Para 87 - When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.</p> | Full | A Sequential Assessment has been undertaken for the proposals and this concludes that there are no sequentially preferable units or sites in, or on the edge of, Bicester Town Centre that are capable of accommodating the proposed development. |
| Policy SLE 4 | Improved Transport and Connections | <p>New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development.</p> <p>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. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce</p> | <p>Para 103- The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion</p> | Full | The site is in an accessible location, with a bus stop directly south of the site, a dedicated cycleway along the western side of Skimmingdish Lane and a public footpath on the northern side of the Site access road. The scheme will also provide 4 rapid electric vehicle charging spaces, and six cycle spaces to encourage sustainable modes of transport. |



Note continued

| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
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| | | congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported. | and emissions, and improve air quality and public health. Para 108 - In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; | | |
| Policies for Ensuring Sustainable Development | | | | | |
| Policy ESD 1 | Mitigating and Adapting to Climate Change | <p>Measures will be taken to mitigate the impact of development within the District on climate change. At a strategic level, this will include:</p> <ul style="list-style-type: none">▪ Distributing growth to the most sustainable locations as defined in this Local Plan▪ Delivering development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars▪ Designing developments to reduce carbon emissions and use resources more efficiently, including water (see Policy ESD 3 Sustainable Construction)▪ Promoting the use of decentralised and renewable or low carbon energy where appropriate (see Policies ESD 4 Decentralised Energy Systems and ESD 5 Renewable Energy). <p>The incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts will include consideration of the following:</p> <ul style="list-style-type: none">▪ Taking into account the known physical and environmental constraints when identifying locations for development▪ Demonstration of design approaches that are resilient to climate change impacts including the use of passive solar design for heating and cooling | <p>Para 148- The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.</p> <p>Para 150- New development should be planned for in ways that... can help to reduce greenhouse gas emissions, such as through its location, orientation and design.</p> | Full | The Applicant is alive to the national climate change emergency and is proposing a range of sustainability measures at the site including: the introduction of four electric vehicle charging points, delivering a biodiversity net gain on site, and increased surface water attenuation and flood storage. |



Note continued

| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
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| | | <ul style="list-style-type: none">▪ Minimising the risk of flooding and making use of sustainable drainage methods, and▪ Reducing the effects of development on the microclimate (through the provision of green infrastructure including open space and water, planting, and green roofs).▪ Adaptation through design approaches will be considered in more locally specific detail in the Sustainable Buildings in Cherwell Supplementary Planning Document (SPD). | | | |
| Policy ESD 3 | Sustainable Construction | <p>All new non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Statement.</p> <p>The strategic site allocations identified in this Local Plan are expected to provide contributions to carbon emissions reductions and to wider sustainability.</p> <p>All development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods including but not limited to:</p> <ul style="list-style-type: none">▪ Minimising both energy demands and energy loss▪ Maximising passive solar lighting and natural ventilation▪ Maximising resource efficiency▪ Incorporating the use of recycled and energy efficient materials Incorporating the use of locally sourced building materials▪ Reducing waste and pollution and making adequate provision for the recycling of waste▪ Making use of sustainable drainage methods▪ Reducing the impact on the external environment and maximising opportunities for cooling and shading (by the provision of open space and water, planting, and green roofs, for example); and | <p>Para 148- The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.</p> <p>Para 150- New development should be planned for in ways that... can help to reduce greenhouse gas emissions, such as through its location, orientation and design.</p> | Full | <p>The Applicant is alive to the national climate change emergency and is proposing a range of sustainability measures at the site including: the introduction of four electric vehicle charging points, delivering a biodiversity net gain on site, and increased surface water attenuation and flood storage.</p> <p>It is not feasible to adopt BREEAM 'Very Good' for a scheme of this nature and scale.</p> |



Note continued

| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
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| | | <ul style="list-style-type: none">▪ Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment. <p>Should the promoters of development consider that individual proposals would be unviable with the above requirements, 'open-book' financial analysis of proposed developments will be expected so that an independent economic viability assessment can be undertaken. Where it is agreed that an economic viability assessment is required, the cost shall be met by the promoter.</p> | | | |
| Policy ESD 6 | Sustainable Flood Risk Management | <p>The Council will manage and reduce flood risk in the District through using a sequential approach to development; locating vulnerable developments in areas at lower risk of flooding. Development proposals will be assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF and NPPG. Development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and the benefits of the development outweigh the risks from flooding.</p> <p>In addition to safeguarding floodplains from development, opportunities will be sought to restore natural river flows and floodplains, increasing their amenity and biodiversity value. Building over or culverting of watercourses should be avoided and the removal of existing culverts will be encouraged.</p> <p>Existing flood defences will be protected from damaging development and where development is considered appropriate in areas protected by such defences it must allow for the maintenance and management of the defences and be designed to be resilient to flooding.</p> <p>Site specific flood risk assessments will be required to accompany development proposals in the following situations:</p> <ul style="list-style-type: none">▪ All development proposals located in flood zones 2 or 3▪ Development proposals of 1 hectare or more located in flood zone 1 | Para 155 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. | Full | <p>The Flood Risk Assessment (FRA) outlines how the flood zones have been refined and modelled in conjunction with the Environment Agency to ensure that a developable area can be defined at the Site.</p> <p>The FRA also identifies flood mitigation measures, including setting finished floor levels at no lower than 69.750m and providing an underground tank for flood storage. The FRA concludes that the proposals do not increase the flood risk elsewhere and are safe for the lifetime of the development.</p> |



Note continued

| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
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| | | <ul style="list-style-type: none">Development sites located in an area known to have experienced flooding problemsDevelopment sites located within 9m of any watercourses. <p>Flood risk assessments should assess all sources of flood risk and demonstrate that:</p> <ul style="list-style-type: none">There will be no increase in surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event with an allowance for climate change (the design storm event) Developments will not flood from surface water up to and including the design storm event or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site.Development should be safe and remain operational (where necessary) and proposals should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere, including sewer flooding. | | | |
| Policy ESD 7 | Sustainable Drainage Systems (SuDS) | <p>All development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off. Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems.</p> <p>In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as LLFA and SuDS Approval Body, and proposals must include an agreement on the future management, maintenance and replacement of the SuDS features.</p> | <p>Para 163 - When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁵⁰. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</p> | Full | <p>The Drainage Strategy outlines how surface water from the new development will be drained to the existing ditch to the south east of the site controlling the flow and providing attenuation storage.</p> |
| Policy ESD 10 | Protection and Enhancement of | Protection and enhancement of biodiversity and the natural environment will be achieved by the following: | <p>Para 170 - Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising</p> | | <p>A Biodiversity Assessment has been undertaken which identifies that the proposals will result in a net gain through the</p> |



Note continued

| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
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| | Biodiversity and the Natural Environment | <ul style="list-style-type: none">▪ In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources▪ The protection of trees will be encouraged, with an aim to increase the number of trees in the District▪ The reuse of soils will be sought▪ If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted.▪ Development which would result in damage to or loss of a site of international value will be subject to the Habitats Regulations Assessment process and will not be permitted unless it can be demonstrated that there will be no likely significant effects on the international site or that effects can be mitigated▪ Development which would result in damage to or loss of a site of biodiversity or geological value of national importance will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site and the wider national network of SSSIs, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity▪ Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity▪ Development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in | impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure. | | introduction of enhancements, and managed soft landscape features. |



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| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
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| | | <p>association with new development to ensure habitat connectivity</p> <ul style="list-style-type: none">▪ Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value▪ Air quality assessments will also be required for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution▪ Planning conditions/obligations will be used to secure net gains in biodiversity by helping to deliver Biodiversity Action Plan targets and/or meeting the aims of Conservation Target Areas. Developments for which these are the principal aims will be viewed favourably▪ A monitoring and management plan will be required for biodiversity features on site to ensure their long term suitable management. | | | |
| Policy ESD 13 | Local Landscape Protection and Enhancement | <p>Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.</p> <p>Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:</p> <ul style="list-style-type: none">▪ Cause undue visual intrusion into the open countryside▪ Cause undue harm to important natural landscape features and topography▪ Be inconsistent with local character▪ Impact on areas judged to have a high level of tranquillity▪ Harm the setting of settlements, buildings, structures or other landmark features, or▪ Harm the historic value of the landscape. | <p>Para 127 - Planning policies and decisions should ensure that developments: b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.</p> <p>Para 170 - Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.</p> | Full | High quality landscaping features are proposed throughout the site which will provide habitats for species as well as making it attractive environment for visitors. |



Note continued

| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
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| | | Development proposals should have regard to the information and advice contained in the Council's Countryside Design Summary Supplementary Planning Guidance, and the Oxfordshire Wildlife and Landscape Study (OWLS), and be accompanied by a landscape assessment where appropriate | | | |
| Policy ESD 15 | The Character of the Built and Historic Environment | <p>New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.</p> <p>New development proposals should:</p> <ul style="list-style-type: none">▪ Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions▪ Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions▪ Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity▪ Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features.▪ Conserve, sustain and enhance designated and non designated 'heritage assets'.▪ Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance.▪ Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. | <p>Para 8- Fostering a well-designed and safe built environment, with accessible services and open space...</p> <p>Para 124- Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.</p> <p>Para 127 - Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting; d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of</p> | Full | The design of the scheme is sympathetic to the commercial context of the surrounding area and includes high quality materials that will function well and add to the overall quality of the area over the lifetime of the development. The building will be of a contemporary design incorporating a mixed palette of materials, and complemented by a good quality landscape setting, reflecting the sites relationship with the edge of the urban area. |



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| | | <ul style="list-style-type: none">▪ Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette▪ Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features▪ Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing.▪ Consider the amenity of both existing and future development.▪ Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation▪ Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation▪ Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout▪ Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context▪ Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible▪ Use locally sourced sustainable materials where possible. | crime, do not undermine the quality of life or community cohesion and resilience. | | |
| Policy ESD 17 | Green Infrastructure | The District's green infrastructure network will be maintained and enhanced through the following measures: | Para 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places which c) enable and support | Full | High quality landscaping features are proposed throughout the site which will |



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| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
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| | | <ul style="list-style-type: none">▪ Pursuing opportunities for joint working to maintain and improve the green infrastructure network, whilst protecting sites of importance for nature conservation▪ Protecting and enhancing existing sites and features forming part of the green infrastructure network and improving sustainable connectivity between sites▪ Ensuring that green infrastructure network considerations are integral to the planning of new development. Proposals should maximise the opportunity to maintain and extend green infrastructure links to form a multi-functional network of open space, providing opportunities for walking and cycling, and connecting the towns to the urban fringe and the wider countryside beyond▪ All strategic development sites (Section C: 'Policies for Cherwell's Places') will be required to incorporate green infrastructure provision and proposals should include details for future management and maintenance. | healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. | | provide habitats for species as well as making it attractive environment for visitors. |
| Bicester | | | | | |
| Policy Bicester 11 | Employment Land at North East Bicester | <p>Employment: Jobs created – approximately 1,000. Site constraints may reduce numbers slightly. Use classes – B1, B2 and B8 uses.</p> <p>Key site specific principles include:</p> <ul style="list-style-type: none">▪ Layout of development that enables a high degree of integration and connectivity between new and existing development▪ Good accessibility to public transport services▪ Provision of new footpaths and cycleways to connect with the existing footpath/cycleway links around the site▪ Retention and enhancement of existing Public Rights of Way▪ A green buffer with planting immediately adjacent to the Care Home and beyond this, B1a development to surround the Care home in order to protect residential amenity.▪ A detailed Transport Assessment to be undertaken and Travel Plan to be provided focusing on maximising access by means other than the private car | Para 120 - Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan: a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area. | Full | The former B1 Use Class now forms part of the new Class E, the same use class as the proposed development. In this regard, the proposals could be considered to comply with the adopted development plan allocation. The development will generate new jobs in addition to supporting existing and committed employment uses in the local area. |



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| | | <ul style="list-style-type: none">▪ A high quality, well designed approach to the urban edge▪ Buildings that provide for an active frontage to Skimmingdish Lane and a strong gateway at the site entrance.▪ The site lies adjacent to a designated Local Wildlife Site and a proposed Local Wildlife Site. Ecological surveys must be undertaken to identify habitats and species of value and any mitigation measures required. The proposals should result in a net gain in biodiversity.▪ Development that respects the landscape setting, and that demonstrates the enhancement, restoration or creation of wildlife corridors, and contributes towards creation of a green infrastructure network for Bicester.▪ Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments.▪ A comprehensive landscaping scheme to limit visual intrusion.▪ Conserve or enhance the setting of the RAF Bicester Conservation Area and adjoining Scheduled Ancient Monument.▪ Preparation of an archaeological and cultural heritage assessment to inform development proposals.▪ A high quality design and finish▪ The provision of public art to enhance the quality of the place, legibility and identity.▪ Adoption of a surface water management framework to maintain run off at Greenfield rates.▪ Take account of the Council's Strategic Flood Risk Assessment for the site. A Flood Risk Assessment should be undertaken. Use of SuDS in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS).▪ No built development will be located in Flood Zone 3b▪ Demonstration of climate change mitigation and adaptation measures | | | |




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| Policy Ref | Policy Title | Policy Wording | Relevant NPPF Paragraph | Weight to be Attached | How the Scheme Addresses Policy |
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| | | <ul style="list-style-type: none">An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary.A soil management plan may be required to be submitted with planning applications. | | | |
| Infrastructure | | | | | |
| Policy INF 1 | Infrastructure | <p>The Council's approach to infrastructure planning in the District will identify the infrastructure required to meet the District's growth, to support the strategic site allocations and to ensure delivery by:</p> <p>Working with partners, including central Government, and other local authorities, to provide physical, community and green infrastructure</p> <p>Identifying infrastructure needs and costs, phasing of development, funding sources and responsibilities for delivery</p> <p>Completing a Developer Contributions SPD to set out the Council's approach to the provision of essential infrastructure including affordable housing, education, transport, health, flood defences and open space</p> <p>Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.</p> | Para 34- Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). | Full | The infrastructure and other needs arising from the development will be considered during the application determination stage. |



SEQUENTIAL SITE ASSESSMENT

| | |
|---|---|
| Site Address | St Edburg's Hall, London Road, Bicester, OX26 6BL |
| Site Area | 0.04 ha |
| Existing Use(s) | Offices |
| NPPF Classification | Edge of centre |
| Flood Zone | Flood Zone 1 |
|  | |
| Factual Account | <p>Background</p> <p>The site is located to the south of Bicester Town Centre, on the junction of Priory Road and London Road. It is c.250m north of Bicester Village train station. The site is set within a largely residential area with properties to the north, east and west, and a car park serving the train station to the south.</p> <p>The property is a Victorian building and comprises two floors of office accommodation. The ground floor has been let and it is the upper floor which is available (2,155 sq ft).</p> <p>There are two onsite car parking spaces to the front of the property. Car parking is available on Priory Road but this is for permit holders only.</p> <p>Allocation/Designations</p> |

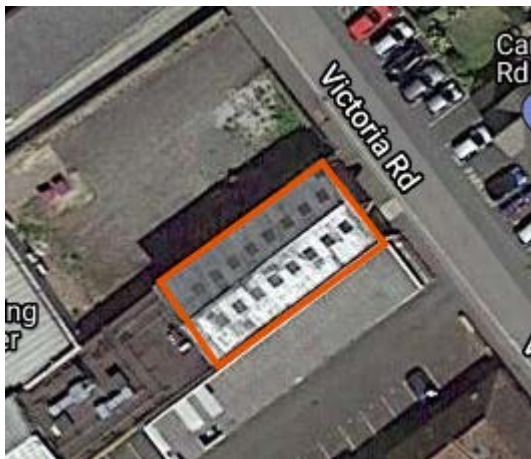


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| | <p>The site is located within the Bicester Conservation Area. It is also located within the Town Centre Extension (Area of Search). Policy Bicester 5 supports main town centre uses within the Area of Search if they form part of a new scheme which help deliver the aims for central Bicester.</p> <p><i>Planning History</i></p> <p>There is no recent planning history at the site.</p> <p><i>Site Constraints</i></p> <p>As well as being located in the Conservation Area, there are a number of listed buildings c.100m north of the site. Consequently, there would be a presumption against redevelopment of in a manner which would not conserve or enhance the appearance of the Conservation Area or listed buildings.</p> |
| <i>Suitability</i> | <p>The site has a roadside frontage but has a limited quantum of curtilage to accommodate a drive-thru lane. The only available space is at first floor level and this is not practical or suitable for a drive-thru restaurant.</p> <p>The site is of insufficient size to accommodate the building, drive-thru lane and on-site parking, even adopting an extreme level of flexibility.</p> <p>Even if the site was large enough to accommodate the proposed use, it is located in a Conservation Area and the demolition and redevelopment of the site would not be appropriate in protecting or enhancing its character and appearance.</p> |
| <i>Availability</i> | <p>The first floor level is currently being marketing (to let) and comprises 2,155 sq ft. This would be of a sufficient scale to accommodate the proposed building.</p> |
| <i>Conclusions</i> | <p>Even adopting an extreme level of flexibility, the site is of insufficient size to accommodate the building and drive-thru infrastructure.</p> <p>For the reasons explained above, this site is not, therefore, a sequentially preferable site.</p> |



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| Site Address | 9 Victoria Road, Bicester, OX26 6PB |
| Site Area | 0.02 ha |
| Existing Use(s) | Vacant retail/warehouse unit |
| NPPF Classification | In centre |
| Flood Zone | Flood Zone 1 |
|  | |
| Factual Account | <p>Background</p> <p>The site is located on Victoria Road which runs parallel with the prime retail area of Sheep Street. The building is attached to the rear of the Torino Lounge, a café/bar. The site is located in a mixed use environment with residential properties to east and retail units to the north and west.</p> <p>The property is arranged over ground and first floor totalling 3,274 sq ft. There are two car parking spaces associated with the property.</p> <p>Allocation/Designations</p> <p>The site is located within Bicester Town Centre, as defined by the Policies Map. It is also located within Bicester Conservation Area.</p> <p>Planning History</p> <p>There is no recent planning history at the site.</p> <p>Site Constraints</p> <p>As well as being located in the Conservation Area, there are a number of listed buildings c.60 west of the site along Sheep Street. Consequently, there would be a presumption against redevelopment</p> |



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| | of a manner which would not conserve or enhance the appearance of the Conservation Area and listed buildings. |
| Suitability | <p>Whilst located within the Town Centre, it is situated behind the main high street, Sheep Street, and therefore does not have a prominent roadside frontage which would be preferred for a drive-thru restaurant. It is therefore not a commercially viable location.</p> <p>The site is of insufficient size to accommodate the building, drive-thru lane and on-site parking, even adopting an extreme level of flexibility.</p> <p>Even if the site was large enough to accommodate the proposed use, it is located in a Conservation Area and the demolition and redevelopment of the site would not be appropriate in protecting or enhancing its character and appearance.</p> |
| Availability | <p>The unit has recently been marketed to let (3,274 sq ft) and would be of a sufficient scale to accommodate the proposed shop only. However, the unit is now under offer and is, therefore, not available.</p> |
| Conclusions | <p>The site does not benefit from a prominent roadside frontage and in any event, is too small to accommodate all components of the proposed use.</p> <p>For the reasons explained above, this site is not, therefore, a sequentially preferable site.</p> |



Note continued

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|---------------------|--|
| Site Address | Unit Ey1A Bure Place, Bicester, OX26 6FA |
| Site Area | 0.09 ha |
| Existing Use(s) | Retail unit |
| NPPF Classification | In centre |
| Flood Zone | Flood Zone 1 |



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| Factual Account | <p>Background</p> <p>The site forms part of a larger building complex and is located to the east side of Bure Place, adjacent to a Sainsbury's superstore. The ground floor level (which this assessment relates to) was previously occupied by Peacocks. There is no off-street parking provided for the unit.</p> <p>Allocation/Designations</p> <p>The site is located within Bicester Town Centre, as defined by the Policies Map. It is also located within Bicester Conservation Area.</p> <p>Planning History</p> <p>There has been no recent planning permission at ground floor levels.</p> <p>Planning permission was granted in November 2013 for the subdivision of the first floor and change of use from A1 to flexible A1/A2/B1/D1 (ref 13/01373/F). A change of use application on the first floor was approved in July 2019 from A1 to C1, to provide two 2-bedroom flats (ref 19/00868/F).</p> <p>Site Constraints</p> <p>As well as being located in the Conservation Area, there are two Grade II listed buildings to the rear (27 Sheep Street and 29-31</p> |
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Note continued

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| | Sheep Street). Consequently, there would be a presumption against redevelopment of a manner which would not conserve or enhance the appearance of the Conservation Area. |
| Suitability | <p>The site is located within a popular shopping area of the town centre and therefore benefits from a prominent frontage. However, given its location in the town centre, it can only be accessed on foot and is therefore not suitable for a drive-thru.</p> <p>The site would be of sufficient size to accommodate the proposed building and some car parking or the drive-thru lane but it is located in a Conservation Area and redevelopment of the site would need to protect or enhance its character and appearance.</p> |
| Availability | The ground floor retail unit (363 sqm) is currently being marketed to let and would be a sufficient size to accommodate the proposed building, but not all components of the development. |
| Conclusions | <p>Though the site is available, it can only be accessible on foot and does not benefit from a prominent roadside frontage. It is therefore, not suitable for the proposed development.</p> <p>For the reasons explained above, this site is not, therefore, a sequentially preferable site.</p> |



Note continued

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|---|---|
| Site Address | 34 Sheep St, Bicester OX26 6LG |
| Site Area | 0.04 ha |
| Existing Use(s) | Retail unit |
| NPPF Classification | In centre |
| Flood Zone | Flood Zone 1 |
|  | |
| Factual Account | <p>Background</p> <p>The site is located in the centre of Sheep Street, between Loungers and New Look. There are a range of retailers in the area including M&S, Poundland and Costa. The unit was formerly occupied by Lloyds Pharmacy and Blue Cross For Pets but now lies vacant. There are two covered car parking spaces associated with the building.</p> <p>Allocation/Designations</p> <p>The site is located within Bicester Town Centre, as defined by the Policies Map. It is also located within Bicester Conservation Area.</p> <p>Planning History</p> <p>There sites most recent planning history relates to advertisements (ref 12/01505/ADV) and a replacement shop front (ref 12/01504/F) when it was occupied by Lloyds Pharmacy.</p> <p>Site Constraints</p> <p>As well as being located in the Bicester Conservation Area, the site adjoins Grade II listed building (26 and 38 Sheep Street). There are also a number of listed buildings within the vicinity, along Sheep Street. Consequently, there would be a presumption against redevelopment of in a manner which would not conserve or enhance the appearance of the Conservation Area or listed buildings.</p> |
| Suitability | <p>The site is located within a prominent location in the town centre. However, it can only be accessed on foot and is therefore not</p> |




Note continued

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| | <p>suitable for a drive-thru. The lack of roadside presence would be commercially prohibitive and therefore unsuitable.</p> <p>Even if it were suitable, there are heritage constraints on the site in terms of massing, scale and design due to the adjoining listed building. This would further bring the site's suitability into question.</p> |
| Availability | <p>The ground floor level is currently being marketed (to let) and comprises 4,737 sq ft. This would be of a suitable size to accommodate the proposed use.</p> |
| Conclusions | <p>Though the site is available, there are prevailing heritage constraints on site which deem the site unsuitable.</p> <p>For the reasons explained above, this site is not, therefore, a sequentially preferable site.</p> |



Note continued

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| Site Address | 44 - 46 Sheep Street, Bicester, OX26 6LG |
| Site Area | 0.09 ha |
| Existing Use(s) | Retail unit |
| NPPF Classification | In centre |
| Flood Zone | Flood Zone 1 |
|  | |
| Factual Account | <p>Background</p> <p>The site is located in the centre of Sheep Street adjacent to Poundland and is split across two levels. There are a range of retailers in the area including New Look, Specsavers and Costa.</p> <p>The site was previously occupied by a Marks & Spencer's Foodhall, but closed in August 2020 due to a new store opening at Bicester Shopping Park. The site has remained vacant since.</p> <p>Allocation/Designations</p> <p>The site is located within Bicester Town Centre, as defined by the Policies Map. It is also located within Bicester Conservation Area.</p> <p>Planning History</p> <p>There sites most recent planning history relates to advertisements (ref 06/00351/ADV) and the site of a refrigerated storage container within the rear service yard (17/01145/F).</p> <p>Site Constraints</p> |



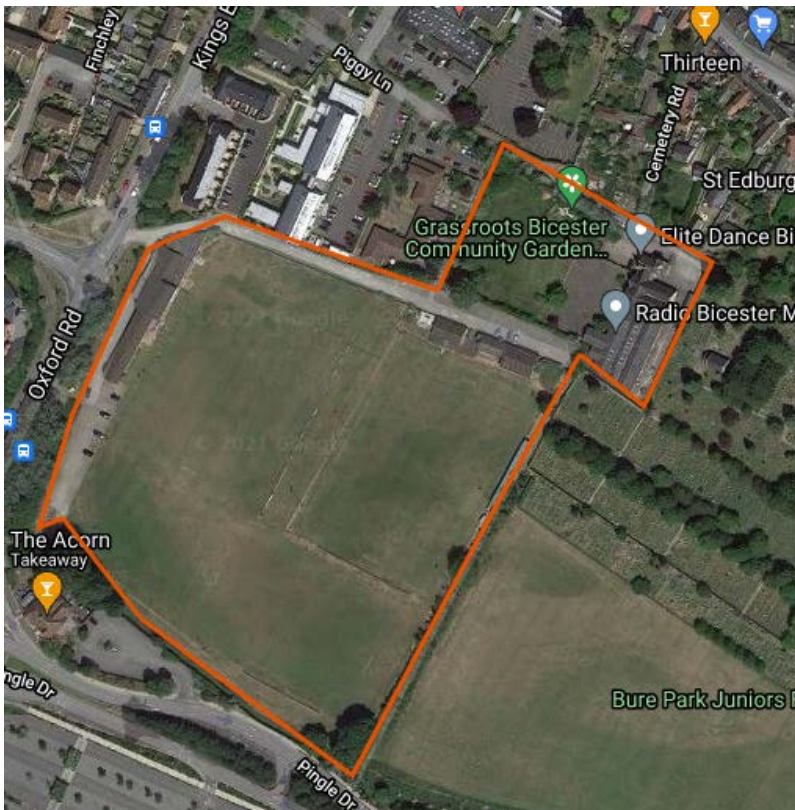
Note continued

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| | As well as being located in the Conservation Area, there are a number of listed buildings within the vicinity, along Sheep Street. |
| Suitability | <p>The site is located within a prominent location in the town centre. However, it can only be accessed on foot and is therefore not suitable for a drive-thru. The lack of roadside presence would be commercially prohibitive and therefore unsuitable.</p> <p>The site is of sufficient size to accommodate the proposed use but is too narrow to provide an active frontage and drive-thru wrap around lane.</p> <p>Even if it were suitable, there are heritage constraints on the site in terms of massing, scale and design due to the adjoining listed building. This would further bring the site's suitability into question.</p> |
| Availability | The unit has recently been marketed to let but is now under offer. As such, even if the site were suitable, it is not available. |
| Conclusions | <p>The site is of sufficient size to accommodate the proposed use but is too narrow to deliver a feasible form of development. Even if the site were suitable, it is not available.</p> <p>For the reasons explained above, this site is not, therefore, a sequentially preferable site.</p> |



Note continued

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|---------------------|--|
| Site Address | Land to the north of Pringle Drive, Bicester, OX26 6WB |
| Site Area | 4.77 ha |
| Existing Use(s) | Sports site |
| NPPF Classification | Edge of centre |
| Flood Zone | Flood Zone 1 |



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| Factual Account | <p>Background</p> <p>The site is located to the north of Pringle Drive and Bicester Village, and west of the Bicester Village train station. It is known as the Bicester Sports Association Site.</p> <p>Allocation/Designations</p> <p>The site is also located within the Town Centre Extension (Area of Search). Policy Bicester 5 supports main town centre uses within the Area of Search if they form part of a new scheme which help deliver the aims for central Bicester.</p> <p>The site is also allocated as an Existing Green Space.</p> <p>Planning History</p> |
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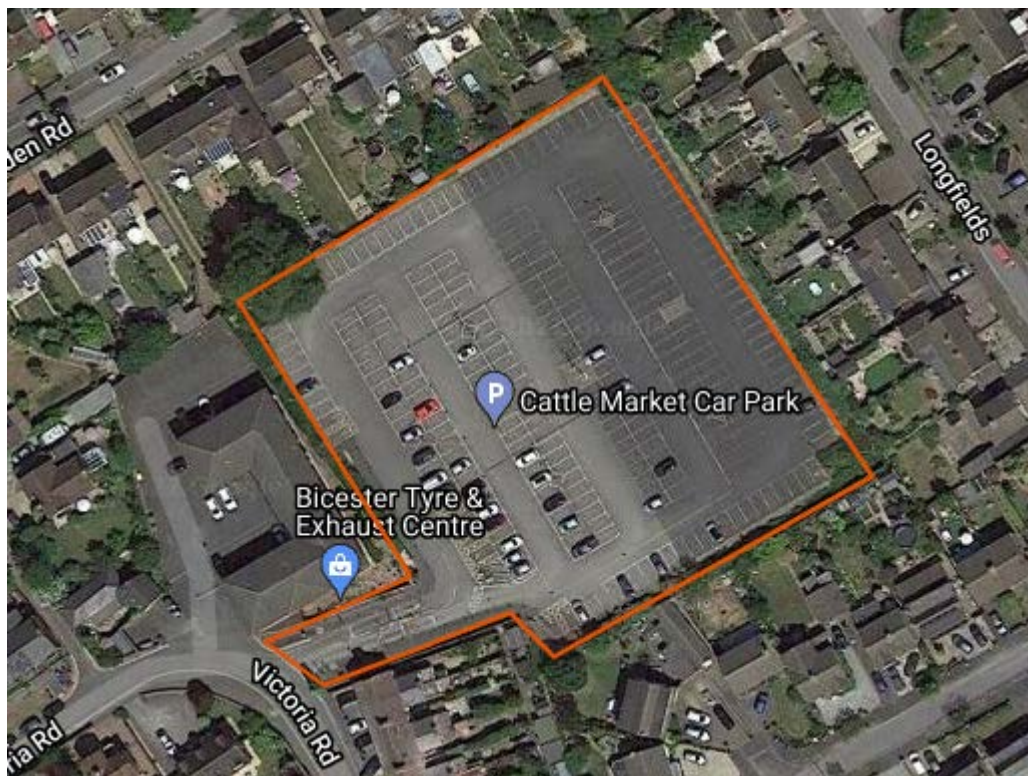
Note continued

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| | <p>There is no recent planning history at the site. An Environmental Impact Assessment Scoping Opinion was submitted in February 2018 for a mixed-use retail and leisure development, comprised c.20,000sqm of retail space and c.4,000sqm of food and beverage units.</p> <p><i>Site Constraints</i></p> <p>The site is currently used as a sports facility and recreation ground. As such a considerable planning constraint would be the need to overcome the loss of sports provision.</p> <p>The site is also located to the south of Bicester Conservation Area. Consequently, development of the site is constrained and would need to be sensitive to the Conservation Area.</p> |
| <i>Suitability</i> | <p>The site would be of a sufficient size to accommodate the proposed unit and associated drive-thru infrastructure. Nevertheless, it is significantly larger site than the proposals.</p> <p>There are, however, significant constraints on site, the primary one being the loss of the existing sports provision. In accordance with the NPPF, the loss resulting from the proposed development may need to be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.</p> |
| <i>Availability</i> | <p>The site is in part currently used as playing fields and in any event is not advertised for sale or rent and is therefore considered to be unavailable.</p> |
| <i>Conclusions</i> | <p>The site is not considered to be available or suitable for the proposed use.</p> <p>For the reasons explained above, this site is not, therefore, a sequentially preferable site.</p> |



Note continued

| | |
|---------------------|--|
| Site Address | Land to the rear of 8 Manchester Terrace, Bicester, OX26 6PT |
| Site Area | 0.73 ha |
| Existing Use(s) | Car park |
| NPPF Classification | Edge of centre |
| Flood Zone | Flood Zone 1 |



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| Factual Account | <p>Background</p> <p>The site is currently in use as a long-stay surface level car park serving the town centre. It is accessed off Victoria Road and residential dwellings bound the site to the north (Linden Road), east (Longfields) and south (Victoria Road and Green Close).</p> <p>Allocation/Designations</p> <p>The site is unallocated in the Local Plan.</p> <p>Planning History</p> <p>There most recent planning permission at the site relates to extending the sites use for a car park until June 2019 (ref 14/00461/CDC). There have been no application since this date to further extend the use, albeit the site is still in use as a car park.</p> <p>Site Constraints</p> |
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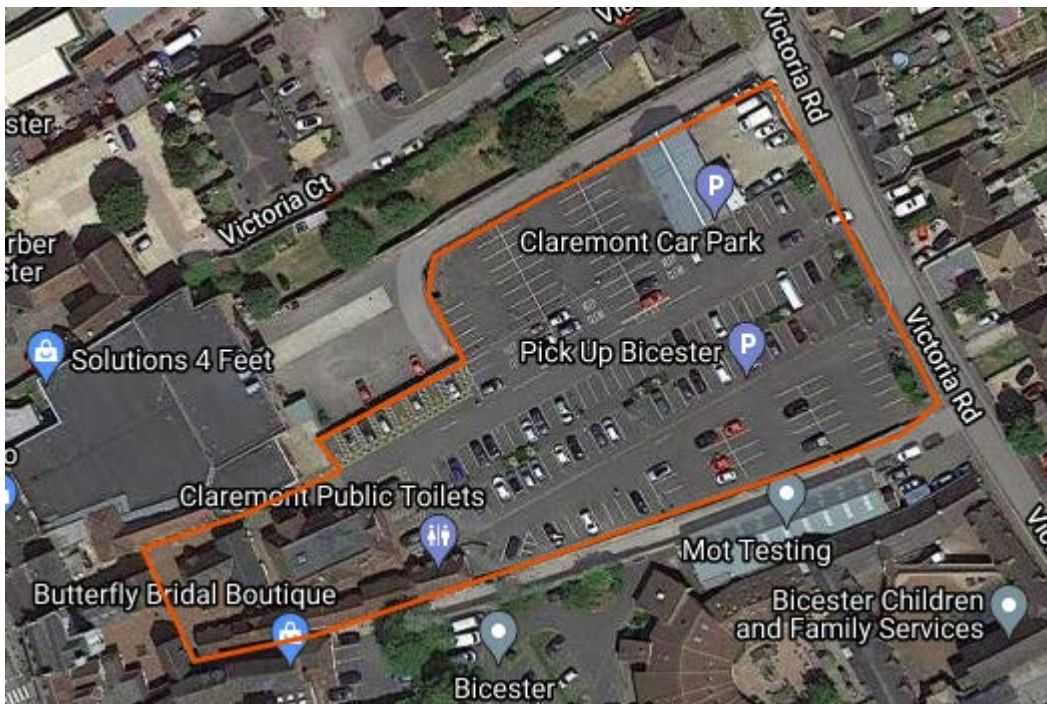
Note continued

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| | <p>The site is approximately 80m east of the Bicester Conservation Area. Consequently, development of the site is constrained and would need to be sensitive to the Conservation Area.</p> |
| Suitability | <p>The site would be of a sufficient size to accommodate the proposed unit and associated drive-thru infrastructure. However, it does not benefit from a prominent roadside frontage which would be preferred for a drive-thru restaurant. It is therefore not a commercially viable location.</p> <p>The site is in use as a car park which serves the town centre. The loss of long-term parking could have a detrimental effect of the vitality and viability of the town centre.</p> |
| Availability | <p>The site is currently in use as a car park and is not advertised for sale or rent and is therefore considered to be unavailable.</p> |
| Conclusions | <p>The site does not benefit from a prominent roadside frontage and the loss of car parking could affect the vitality and viability of the town centre. In any event it is not available.</p> <p>For the reasons explained above, this site is not, therefore, a sequentially preferable site.</p> |



Note continued

| | |
|---------------------|--|
| Site Address | Land at Deans Court and Claremont Car Park, Bicester, OX26 6PH |
| Site Area | 0.7 ha |
| Existing Use(s) | Car park and retail units |
| NPPF Classification | In centre |
| Flood Zone | Flood Zone 1 |



| | |
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| Factual Account | <p>Background</p> <p>The site is currently in use as a short-stay surface car park and consists of a number of small retail units in Deans Court. Although located within the Town Centre, it is situated behind the main high street, Sheep Street.</p> <p>Allocation/Designations</p> <p>The site is located within Bicester Town Centre, as defined by the Policies Map. It is also located within Bicester Conservation Area</p> <p>Planning History</p> <p>There most recent planning permission at the site relates to extending the sites use for a car park until June 2012 (ref 07/01132/CDC). There have been no application since this date to further extend the use, albeit the site is still in use as a car park.</p> <p>Site Constraints</p> |
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Note continued

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| | <p>The site is located within Bicester Conservation Area. Consequently, development of the site is constrained and would need to be sensitive to the Conservation Area.</p> |
| Suitability | <p>The site is located behind the main high street, Sheep Street, and therefore does not have a prominent roadside frontage which would be preferred for a drive-thru restaurant. It is therefore not a commercially viable location.</p> <p>The loss of car parking, which serves the town centre and particularly Deans Court, would be a significant consideration in any redevelopment of the site. Its loss of could have a detrimental effect of the vitality and viability of the town centre.</p> |
| Availability | <p>The site is currently in use as a car park and is not advertised for sale or rent and is therefore considered to be unavailable.</p> |
| Conclusions | <p>The site does not benefit from a prominent roadside frontage and in any event is not available.</p> <p>For the reasons explained above, this site is not, therefore, a sequentially preferable site.</p> |



Appendix 2

Sequential Assessment Site Proformas
