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Planning Report

Axis J9 Phase 3

SEPTEMBER 2021

Q210286

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Appendices

Appendix 1 – Policy Matrix

1 Introduction

- 1.1 This Planning Report supports a full planning application for land to the west of Howes Lane and north of Middleton Stoney Road, Bicester (“the Site”) (**Figure 1.1**).
- 1.2 The Site forms part of a wider proposal for an Eco-Town at North West Bicester, identified within The Cherwell Local Plan (“CLP 2015”) and intended to be a new zero carbon, mixed use development including employment development and new homes.

Figure 1.1 – Site Location Plan



- 1.3 The application is submitted on behalf of Albion Land Two Limited (“Albion Land”) for flexible employment development (use classes E(g)(iii) and/or B2 and/or B8, with ancillary E(g)(i)), following the successful delivery of two earlier phases of similar development adjacent to the Site (the Axis J9 business park).
- 1.4 The proposal is for 16,901 sqm of floorspace (GIA), arranged between 11 units of varying sizes and each suitable for a wide range of general and light industrial, manufacturing, processing and/or storage/distribution uses.

- 1.5 The Development also includes delivery of part of a strategic link road (“SLR”) that is proposed as part of the Eco-Town and is due to be delivered in full and open to traffic during 2024.
- 1.6 The application is made following the success of Axis J9 and in response to strong, evidenced market demand for additional flexible employment floorspace in this location. It will add to the business park offer in this area of the Eco-Town and provide valuable opportunities for local employment and for small and medium sized businesses to thrive in Bicester.
- 1.7 The proposal fully accords with the CLP 2015, which supports the proposed use in principle, and as such there is a plan-led presumption in favour of the development. In these circumstances, the NPPF directs that planning permission should be granted “without delay” (Paragraph 11).

2 Factual Account

The Site

- 2.1 The Site comprises approximately 7.2ha of arable land adjacent to the existing built edge of Bicester and immediately north of recent employment development.
- 2.2 The Site is bound as follows:
- To the north by an area of tree planting, beyond which is agricultural land which extends both to the north and north east of the Site
 - To the east by Howes Lane (the A4095), extending down to the south east. Howes Lane is bounded by the existing Greenwood residential estate which forms the current urban edge of Bicester
 - To the south and south west by the Axis J9 business park. Beyond the Axis J9 development is Middleton Stoney Road (the B4030) and
 - To the west by an area of tree planting and agricultural land which extends to the M40 approximately 1.4km to the west of the Site.
- 2.3 Most of the agricultural land adjacent to the west, north and north east is allocated and/or consented for residential-led mixed use development by the CLP 2015. Land to the south, beyond Middleton Stoney Road (at Vendee Drive) is similarly allocated for residential development.

Designations

- 2.4 The Site is allocated for mixed use development (as part of a wider allocation for an Eco-Town) by the CLP 2015 and is within the development limits of the town.
- 2.5 There are no ecological designations affecting the Site. To the south of the Site, beyond Middleton Stoney Road is Bignell Park, which is an ecologically important landscape but no part of the Site lies within it, and nor will it affect it.
- 2.6 None of the trees along the Site's boundaries are protected by a Tree Preservation Order.
- 2.7 The Site is located within Flood Zone 1 and therefore at limited risk of flooding.
- 2.8 There are no heritage designations affecting the Site or located close to it.

Planning Background

- 2.9 The Site and surrounding area have an extensive planning background.
- 2.10 The Site's planning history is set out at **Table 2.1**, whilst the relevant planning history of the wider Eco-town can be found at **Table 2.2**.

Table 2.1 – Relevant Planning History of the Site

LPA Reference	Description of Development	Decision
12/01153/OUT	Employment development comprising up to 40,767sqm of B1(b), B2 and B8 uses.	Withdrawn
14/01675/OUT	53,000 sqm of employment development comprising B2 and B8 floorspace with ancillary B1 uses, together with the erection of up to 150 dwellings.	Refused, allowed on appeal
17/00455/HYBRID	Up to 150 dwellings	Approved
17/01090/OUT	B1, B2 and B8 employment buildings, construction of a new access off Middleton Stoney Road (B4030); temporary access off Howes Lane; internal roads, footways and cycleways.	Approved
	Reserved Matters to 19/00349/OUT - Layout, scale, appearance, and landscaping details for Phase 1 of the employment development (21,584sqm flexible B1c/B2/B8 floorspace) and earthworks for Phase 2 of the employment development	Approved
19/00347/OUT	Minor material amendment to planning permission 14/01675/OUT to vary conditions 6, 7, 8, 9 and 10 to refer to updated parameter plans and temporary access plan; variation of condition 14 to enable delivery of employment development in full in advance of strategic link road; and amendment of condition 20 to reflect removal of temporary access onto Howes Lane	Approved
19/00349/REM	Reserved Matters to 19/00347/OUT for Phase 1 of the employment development (21,584 sq.m flexible B1c/B2/B8 floorspace) and earthworks for Phase 2 of the employment development	Approved
20/03199/OUT	Variation of condition 13 (extent of B8 Use) of 19/00347/OUT	Approved
20/02454/REM	Reserved Matters application to 20/03199/REM for Phase 2 of the employment development (23,226 sqm flexible B1c and/or B2 / and/or B8 floorspace)	Approved

Table 2.2 – Relevant Planning History of Neighbouring Sites

LPA Reference	Description of Development	Decision
10/01780/HYBRID	Development of Exemplar phase of NW Bicester	Approved
14/01968/F	Construction of new road from Middleton Stoney Road roundabout	Approved
14/01384/OUT	Mixed use development comprising up to 2,600 dwellings, retail, food and drink, employment (B1 and B2 uses), social and community facilities, energy centre and primary school	Pending
14/01641/OUT	Outline to provide up to 900 residential dwellings.	Pending
14/02121/OUT	Development comprising of 1,700 residential units.	Approved

3 Decision-Making Context

- 3.1 Section 70(2) of the Town and Country Planning Act (1990) and 38(6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined in accordance with the adopted Development Plan (“DP”) unless material considerations indicate otherwise. National policy is capable of being one such material consideration.
- 3.2 Of relevance to the determination of the Application, the Development Plan for Cherwell comprises:
- Cherwell Local Plan 2011– 2031 (Part 1) (“CLP 2015”)
 - Saved policies of the Cherwell Local Plan 1996 (“CLP 1996”)

National Policy

- 3.3 The NPPF sets out the Government’s planning policies for England.
- 3.4 A key component of the NPPF is the objective of achieving sustainable development through DPs and decision-making.
- 3.5 This involves achieving economic, social and environmental objectives in mutually beneficial ways (Paragraph 8).
- 3.6 At Paragraph 11, the NPPF directs applications that accord with an up to date DP should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting planning permission unless there are policies in the framework which provide a clear reason for refusal or the adverse impacts of doing so would demonstrably outweigh the benefits when assessed against the NPPF as a whole.
- 3.7 Within this context, and especially relevant to the proposal, the NPPF seeks to:
- Support the development of a strong, competitive economy by enabling “*conditions in which businesses can invest, expand and adapt*” and consequently places “*significant weight... on the need to support economic growth and productivity, taking into account both business needs and wider opportunities for development*” (Paragraph 81).
 - Engender an approach to planning which allows “each area to build on its strengths, counter any weaknesses and address the challenges of the future”, noting that this is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential (Paragraph 81).
 - Ensure that the planning system and DP policies are “flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices... and enable a rapid response to changes in economic circumstances.” (Paragraph 82).

3.8 It also noted that, the NPPF directs that (in advance of local plans being updated to reflect changes in circumstances and where there is no reasonable prospect of development coming forward for the use allocated in a plan) applications for alternative uses are supported where the proposed use would contribute to meeting an unmet need for development in the area (Paragraph 122).

Development Plan Policies

3.9 All relevant planning policies from the development plan and their relative accordance with the principles of the NPPF are set out within a Policy Matrix at **Appendix 1**. Key policies are highlighted below.

Cherwell Local Plan 2011 – 2031 (2015)

Bicester 1: North West Bicester Eco-Town

3.10 The Site forms part of the strategic allocation in CLP 2015 and so, Policy Bicester 1 is the primary planning policy of the DP for the Site.

3.11 North West Bicester was originally identified within Annex A of the Eco-Towns PPS (2009) as one of four potential locations for the development of an Eco-Town, and this was brought forward into the adopted CLP 2015.

3.12 The Policy seeks to deliver development in accordance with a comprehensive masterplan for the whole Eco-Town area to be approved by CDC as part of a supplementary planning document (considered further below).

3.13 Policy Bicester 1 sets out CDC's expectations that the Masterplan and subsequent applications for planning permission will deliver:

- A minimum of 10ha for employment uses, giving rise to at least 700-1,000 jobs early in the Plan Period
- Up to 6,000 homes
- Four 2 form entry primary schools and one secondary school
- A 7 GP surgery and a dental surgery
- 4ha site for a burial ground
- 40% of the total gross site area as green space
- Appropriate crossings of the railway line and changes/improvements to Howes Lane and Lords Lane
- Community facilities, to include leisure, health, social care, education, retail, arts, culture, library services, indoor and outdoor sport, play and voluntary services
- Utilities and infrastructure to allow for zero carbon and water neutrality on site and the consideration of sourcing waste heat from the Ardley Energy recovery facility.

3.14 Policy Bicester 1 cross refers to a range of other development management policies in CLP 2015.

Policy ESD 1 – 5: Climate Change

- 3.15 Policies 1 – 5 are focused on delivering sustainable development in relation to climate change mitigation and adaptation. They support distributing growth to the most sustainable locations, and also promote development that seeks to reduce the need to travel, which encourages sustainable travel options including walking, cycling and public transport to reduce dependence of private cars.
- 3.16 They also encourage all development proposals to reflect high quality design and high environmental standards as well as demonstrating sustainable construction methods.

Policy ESD15: Character of the Built and Historic Environment

- 3.17 Policy ESD 15 requires new development to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All new development is required to meet high design standards.
- 3.18 It also recognises that development should be capable of adapting to changing social, technological and environmental conditions.

Policy PSD1: Sustainable development

- 3.19 Policy PSD1 of CLP 2015 outlines that CDC will take a proactive approach to considering development proposals, reflecting the presumption in favour of sustainable development contained in the NPPF.
- 3.20 It places emphasis on the fact that the CDC will work jointly with applicants to find solutions which mean that development that improves economic conditions in the area can be improved.

Policy SLE1: Economic Development

- 3.21 Policy SLE1 ensures that employment development is located within sustainable locations.
- 3.22 It outlines that employment development will be focused on existing and operational employment sites, including at Bicester.
- 3.23 The Policy supports intensification of existing employment sites, which will be permitted subject to compliance with other policies in the DP and if they meet the following criteria set out within the policy:
- Development to be built within the limits of the settlement unless on an allocated site
 - Proposals that make efficient use of existing and underused sites and premises increasing the intensity of use on sites
 - Site has good access, or can be made to have good access, by public transport and other sustainable modes
 - Development will meet high design standards using sustainable construction, are of an appropriate scale and respect the character of its surroundings
 - Proposals do not have an adverse effect on surrounding land uses, residents and the historic and natural environment.

Other Material Considerations

North West Bicester SPD (2016)

- 3.24 Policy Bicester 1 of the CLP seeks to deliver development in accordance with a comprehensive masterplan for the whole Eco-Town.
- 3.25 A masterplan was produced for NW Bicester by A2 Dominion (who controlled large areas of land within the Eco-Town at the time) and has been incorporated into a supplementary planning document (“the NWB SPD”).
- 3.26 The NWB SPD is intended to “guide” the preparation of planning applications and the development of the Eco-Town.
- 3.27 It “*provides further detail to the policy and a means of implementing the strategic allocation*” (paragraph 1.1).
- 3.28 But notably, it is not policy and the weight that should be afforded to it in decision-making it tempered by this fact (as considered later in this Report).
- 3.29 Chapter 4 sets out a total of 14 “*key development principles and requirements for the site*” to guide the preparation of planning applications.
- 3.30 At Figure 10, it includes a Masterplan Framework.
- 3.31 The Masterplan Framework indicates that the Site was intended to be used for residential and green infrastructure uses, as well as setting aside space for a section of the Howes Lane strategic link road and an adjacent pedestrian and cycle route.
- 3.32 The Site is directly adjacent to an area which is earmarked for employment (B Class) uses (this is the area which comprises the existing Axis J9 business park).
- 3.33 The NWB SPD was informed by the NW Bicester Masterplan Economic Strategy (March 2014) (“the NWBM ES”) which sets out the scale, type and location of jobs related to North West Bicester, together with an action plan.
- 3.34 Chapter 5 of the NWBM ES considers the type, location and scale of jobs related to the Eco-Town.
- 3.35 In relation to employment development in the south-west corner of the Eco-Town (the Site) it suggests this would include a mix of B1¹, B2 and B8 uses.

¹ The Use Classes Order was updated on 1 September 2020. A new Use Class (Class E – Commercial, Business and Service) was introduced via this update. Class E(g) comprises uses which can be carried out in a residential area without detriment to its amenity: E(g)(i) - Offices to carry out any operational or administrative functions; E(g)(ii) - Research and development of products or processes; E(g)(iii) Industrial processes.

Development Principle 5 – Employment

- 3.36 Development Principle 5 identifies employment uses on land at Middleton Stoney Road and Howes Lane to accommodate “*employment space for target sectors including high value logistics, manufacturing (including performance engineering) and low carbon companies*” (paragraph 4.75).
- 3.37 Employment development (the Axis J9 business park) has been delivered (by the Applicants) in accordance with the Masterplan Framework and the proposed development would function as an extension to this successful development.

Other Relevant Development Principles and Requirements

- 3.38 Other Development Principles and Requirements outlined within the NWB SPD 2016 are fully referenced within the Policy Matrix, and include the following:
- Development Principle 1: Masterplanning and comprehensive development
 - Development Requirement 1: Delivering the Masterplan
 - Development Requirements 2: True Zero Carbon Development
 - Development Requirement 3: Climate Change Adaptation
 - Development Principle 6: Transport Movement and Access
 - Development Principle 9: Green Infrastructure and Landscape
 - Development Principle 9 (e): Biodiversity

Summary

- 3.39 National policy places a significant emphasis on the achievement of sustainable development. A key component of this is the delivery of a mix of uses, and specifically jobs, in proximity to where people live. This involves ensuring that sufficient land (and premises) is available in the right places and at the right time to support growth, innovation and improved productivity.
- 3.40 The Site is allocated for development as part of a strategic, mixed-use proposal for the creation of an Eco-Town at North West Bicester. The CLP 2015 seeks to secure at least 700-1,000 jobs across the Eco-Town in the early part of the Plan Period.
- 3.41 Policy Bicester 1 of CLP 2015 (which allocates the Site) is supported by the NWB SPD, which provides a Masterplan Framework and a series of development principles to guide development of the Eco-Town and the application of the DP policy.

4 Development Proposals

Quantum, Use and General Arrangement of Development

- 4.1 Full planning permission is sought for 16,901 sqm (GIA) of flexible employment floorspace.
- 4.2 The floorspace is arranged in 11 units of varying sizes between 328 sqm and 4,753 sqm, contained within 5 buildings (2 of which contain terraced units) (see **Figure 4.1** for the proposed site layout).

Figure 4.1 – Proposed Site Layout



- 4.3 The floorspace and its general arrangement has been designed with flexibility in mind, ensuring it is suitable for the full range of employment uses (falling into Use Classes E(g)(iii), B2 and B8).
- 4.4 All the larger units have mezzanine floorspace to provide accommodation for ancillary office uses (Use Class E(g)(i)), which are often required by medium and larger businesses.
- 4.5 The design approach is cognisant of earlier proposals for the site, relevant design guidance and the relationship with residential development at Derwent Green.

Access, Parking and Servicing

- 4.6 The scheme has been designed such that building entrances are prominent and easily accessible, whether travelling on foot or by other modes to the Site. The design approach makes for a readily legible development, assisting with safe and efficient access by all modes.
- 4.7 The development will initially be accessed from Middleton Stoney Road, via earlier phases of the Axis J9 business park and a section of road which is intended to form part of a strategic bus route for the Eco-Town in the future.
- 4.8 Part of this route has already been constructed to serve the smaller units that have been delivered as part of Phase 1 of the business park, and the balance of it is also committed as part of that development to provide a permanent access arrangement from the SLR once this is complete and open (anticipated to be in 2024).
- 4.9 Following the opening of the SLR, the proposals will be accessed from the SLR only and the temporary link to Middleton Stoney Road, via the wider business park, will be closed.
- 4.10 Each unit has its own dedicated service yard, which has been designed to provide appropriate manoeuvring space for the types of vehicles that will use them and sufficient HGV parking space for the quantum of floorspace within the respective unit.
- 4.11 Each unit has car parking within its own demise to cater for staff and visitors, the level of provision fully accords with CDC's adopted parking standards.
- 4.12 Secure bicycle parking is also provided for each unit, together with electric vehicle charging capacity.

Scale, Massing and General Design Approach

- 4.13 The proposed development has been designed to be in-keeping with the (now complete, see **Figure 4.2**) development on the adjacent business park and to meet industry-standard clear internal heights that will be required by future occupiers (providing a range from 8-12m).
- 4.14 The proposals will be built using hipped portal frames, which allow eaves height to be minimised without presenting a gable end.

- 4.15 Elevations incorporate different materials along their length to assist in visually “breaking them up”. The palette of materials corresponds with those used on earlier phases of the business park, thereby ensuring a visually consistent design approach.
- 4.16 This is complemented by the introduction of features such as glazing at mezzanine level/around entrances and prominent entrance designs.

Figure 4.2 – Earlier Phases of the Business Park



Sustainable Design

- 4.17 Like earlier phases of the Axis J9 business park, the development will meet the requirement of CLP 2015 Policy Bicester 1 in relation to sustainable design.
- 4.18 The development will achieve at least BREEAM ‘Very Good’ and the proposals will be operationally “zero carbon”, meaning that carbon generated by the day-to-day operation of the building delivered will be off-set by a range of technology and enhancements, including the installation of (inter alia) photovoltaic arrays on the roofs.
- 4.19 Care has also been taken in the general design and layout of the scheme to maximise natural lighting of units, whilst avoiding unacceptable fluctuations in heating and cooling.

Green Infrastructure

- 4.20 The proposals exceed the 40% minimum green infrastructure requirement embedded in CLP 2015 Policy Bicester 1 through the provision of a range of strategic greenspaces and landscaped areas.
- 4.21 The application is accompanied by information to demonstrate the retention of existing trees and hedgerows, together with detailed planting proposals.

- 4.22 The submitted plans show how the proposed planting will, from completion and then further with time, ensure the assimilation of the development into the surrounding built environment (including earlier phases of the Axis J9 business park) and wider landscape context.
- 4.23 The approach to landscaping on-site additionally ensures the delivery of biodiversity net gain objectives by providing a range of habitats of value to local ecology.

Drainage

- 4.24 The scheme adopts a drainage strategy which is consistent with earlier phases of the business park.
- 4.25 This includes the provision of drainage basins (SUDS) for attenuating surface water during period of high rainfall. These will be maintained and managed as per earlier phases of development at the Site.

Summary

- 4.26 The proposals represent a third and final phase of the Axis J9 business park. They will be of high quality and sustainable design, continuing the successful design approach which has been adopted on the first phases of development at Axis J9 and providing a seamless extension to the existing, highly successful business park development to meet known demand for flexible floorspace in this location.
- 4.27 The development will be accessed via Middleton Stoney Road until the SLR is complete and open to traffic, it will also deliver a section of the SLR through the Site in accordance with Oxfordshire County Council (“OCC”)’s specification.

5 Principle of Employment Development

Plan-Led Presumption in Favour of Development

- 5.1 The Site forms an integral part of the Eco-Town allocated by Policy Bicester 1 of the CLP 2015, which allocates the Site and wider area for “*a new zero carbon mixed use development*”.
- 5.2 This includes a business park in the south eastern area of the Eco-Town, providing a minimum of 10ha for employment uses, as well as ambitions for at least 3,000 jobs to be created across the Eco-Town. (Quod's emphasis)
- 5.3 The CLP 2015 anticipates that the business park will generate between 700 and 1,000 jobs in use classes B1 (now within class E), B2 and B8 uses in the early plan period.
- 5.4 CLP2015 Policy SLE1 supports employment growth and seeks to focus such development on existing and operational employment sites, including at Bicester.
- 5.5 The policy explicitly supports the intensification of existing employment sites (subject to several criteria being met). The proposals would, in accordance with the policy, be built within the limits of the settlement; make efficient use of the Site; benefit from good access by public transport and other sustainable modes; meet high design standards and use sustainable construction methods, are of an appropriate scale and respect the character of its surroundings; and have an acceptable relationship with surrounding land uses and the historic and natural environment.
- 5.6 The proposed development fully accords with the requirements of Policy Bicester 1 and SLE1 by virtue of providing employment floorspace in the south-eastern area of the Eco-Town. The delivery of further employment floorspace will also support the objective of delivering jobs across the Eco-Town and, specifically, jobs within the business park in the earlier years of the DP.
- 5.7 The DP is therefore fully supportive of the proposed development in principle, and subsequently there is a plan-led presumption in favour of sustainable development. In these circumstances, national policy directs that planning permission should be granted without delay.

Market Demand

- 5.8 The first two phases of Axis J9 have been marketed by Venables Sherrott Lockhart and Partners (“VSL”). They are likely to be responsible for marketing Phase 3 of the business park, should planning permission is granted for the proposed development.
- 5.9 The application is accompanied by Market Commentary prepared by VSL.
- 5.10 This observes that, following a period of significant industrial and warehouse development activity in Bicester in recent years, occupier take up rates have outstripped all expectations and there is now a negligible supply of new or modern units to meet demand.

- 5.11 VSL comment that Bicester has proved to be a very popular location for companies in the manufacturing and logistic sectors, and recent developments in the town have attracted significant new national and international interest whilst also enabling established businesses to expand and local start-ups to flourish.
- 5.12 VSL state there is significant further occupier demand from manufacturing and logistic operators and fellow commercial property agents report the same. Yet, unless Phase 3 at Axis J9 is brought forward without delay in 2022, there will be no new individual buildings below 25,083 sq.m for occupiers to consider next year and the economic growth of these sectors in Bicester could falter.
- 5.13 VSL have advised that the proposed units are likely to let rapidly, and that they anticipate the majority will be pre let prior to construction completing.
- 5.14 For Bicester's rapid economic growth to continue, further development such as that proposed by this application is essential.

Economic Benefits

- 5.15 The application is supported by an Economic Statement. This considers the potential economic benefits that will be delivered by Phase 3 of the Axis J9 business park
- 5.16 Due to the intended flexibility of the development, the jobs created in the operational phase will depend on market demand once the space is complete and available. They will also vary over time as occupiers at the Site evolve. End-use jobs are, however, predicted to be no less than 250 FTE and could be up to 720 FTE.
- 5.17 During the Construction Phase an average of 110 FTE jobs will be created over an approximately 12-month construction period.
- 5.18 This represents a significant level of new employment opportunities for the Eco-Town (easily reached from new homes, in accordance with Eco-Town objectives) and existing Bicester residents.
- 5.19 In addition to job creation, the development will:
- Support CDC's and Bicester Eco-Town strategic economic objectives, including supporting target growth sectors through provision of appropriate floorspace
 - Provide a range of accommodation which is suitable for local businesses, including start-ups
 - Provide local skills and training benefits, including apprenticeship starts during the construction phase
 - Provide a GVA uplift of at least £8.9million per annum
 - Give rise to at least £700,000 additional spending in the local area per annum
 - Provide additional business rates revenue for CDC to spend on local priorities, potentially in the order of £700,000 per year.

5.20 The Economic Statement also identifies the important role that the development would play in ensuring that the local market can operate flexibly and continuously, which is especially important in the wake of COVID-19 pandemic. The pandemic, and consequent Government lockdowns has (and will continue to have) significant economic and social impacts, which are expected to affect people and their life/workstyles well beyond 2021. Development which directly seeks to counteract the harm caused by the pandemic should be supported.

North West Bicester Masterplan

5.21 The NWB SPD 2016 was published to expand upon Policy Bicester 1 and was intended to guide development proposals. It is guidance only and does not form part of the DP, which takes primacy in decision-making. The weight it should be afforded is tempered by this fact alone.

5.22 As part of the SPD, a Masterplan produced in 2014 by A2 Dominion (who controlled much of the land within the Eco-Town at the time) was integrated into the guidance. The Masterplan indicates the key development components and requirements and it is acknowledge that it identifies the Site for residential development, between the business park and other commercial/business uses within a proposed local centre.

5.23 Since the publication of the NWB SPD, the Phases 1 and 2 of Axis J9 (the business park) have both successfully been delivered for their employment uses intended in the SPD by Albion Land.

5.24 As considered above, there has been an unprecedented rate of take-up of the floorspace at the business park and there are further live enquiries for additional floorspace at the Site (which cannot be met by the existing consented business park scheme due to high occupancy rates).

5.25 These factors demonstrate that the area which was intended for a business park when the Masterplan was drawn up in 2014 (i.e. over 7 years ago, which is beyond the time period that the NPPF requires review of local policies) is not of sufficient scale to meet the need that exists today.

5.26 Further, national policy (NPPF Paragraph 81) directs that planning decisions should help create the conditions in which businesses can invest, expand and adapt. It directs that “significant weight” should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.

5.27 The NPPF (Paragraph 82) also requires that policies should “*be flexible enough to accommodate needs not anticipated in the plan... and to enable a rapid response to changes in economic circumstances.*”

5.28 These clear policy messages further support the proposed development in principle, and the case that limited weight should be afforded to the boundaries of the business park which are shown by the Masterplan.

- 5.29 Whilst it is acknowledged that the Eco-Town is intended to be residential-led, the scale of the Site (7.2ha) and the quantum of residential development it could accommodate whilst still addressing the other requirements of the DP (for example 40% green space and the safeguarding of land for the SLR) is limited.
- 5.30 As illustrated by the earlier planning permissions for the Site (which have not been implemented), it is anticipated that it could accommodate a maximum of 150 homes. Its contribution would therefore be limited in the context of the wider policy objective of delivering in the order of 6,000 new homes across the Eco-Town.
- 5.31 Taking account of the other planning applications which have been brought forward across the Eco-Town, and the quantum of development they have proposed, the use of the site for employment rather than residential uses would not prejudice the delivery of the DP's objectives for the Eco-Town.
- 5.32 The proposals reflect a change in market demand since the preparation of the Masterplan and publication of the SPD. There is a strong, evidenced demand for flexible employment floorspace in Bicester, which cannot be met on other sites within settlement limits and the Site is suitable to meet this demand.

Conclusion

- 5.33 The proposed development accords with the DP and should be approved without delay.
- 5.34 It directly responds to evidenced market needs, which could not have been predicted when the DP and supporting guidance was adopted. National policy is clear that planning decisions should support economic growth and recognises that market needs evolve rapidly.
- 5.35 An expansion of the business park within the Eco-Town will not undermine the delivery of a residential-led, sustainable community at North West Bicester; if anything it will directly contribute towards these objectives by providing flexible floorspace to meet the needs of new and established businesses within easy reach of new homes.
- 5.36 The development will give rise to a substantial number of new jobs, both during the construction phase and during the operational phase, as well as a wide range of other economic benefits. These weigh heavy, and positively, in the planning balance in favour of the proposals.

6 Development Management

- 6.1 The environmental impacts and the requirements of relevant development management policies of the DP have been considered by the Applicant in the development of the proposals. The application is supported by an Environment Statement (the scope of which was agreed with CDC in advance of submission) and a range of other technical assessments that sit outside of the Environmental Impact Assessment.
- 6.2 Their findings are summarised below.

Traffic and Transport

- 6.3 The application is accompanied by a Transport Assessment and Framework Travel Plan.
- 6.4 These demonstrate that the Site is currently accessible by a range of transport modes and that its accessibility will improve further as the Eco-Town is delivered.
- 6.5 The proposals will deliver a section of the SLR (which is a critical piece of Eco-Town infrastructure) and will not frustrate its completion, or the wider delivery of the SLR through the business park or elsewhere through the Eco-Town.
- 6.6 Through financial contributions, it is also envisaged that the development will directly support the delivery of the SLR and other Eco-Town transport infrastructure.
- 6.7 The scheme incorporates temporary access arrangements, the provision of which was considered previously (in the context Phase 1 of the business park, which is now fully operational) and accepted in principle by OCC and CDC. These will be removed once the SLR is fully open but offer an appropriate interim solution.
- 6.8 The Site can therefore be safely and efficiently accessed via the proposed arrangements.
- 6.9 “*Infrastructure to support sustainable modes of transport*” is provided as part of the proposals, including new footways and cycleways that link with existing networks”.
- 6.10 The Site benefits from good accessibility to existing public transport services and will be close to the strategic bus route through the Eco-Town. Through earlier phases of the business park, the Applicants committed to exploring opportunities for diversion of existing local bus routes into the Site in due course, which will further enhance its accessibility.
- 6.11 The local highway infrastructure can accommodate the forecast traffic levels in advance of the SLR being fully open. The Transport Assessment demonstrates that the forecast development traffic associated with the proposals will be significantly lower than the traffic levels associated with the residential development that had been predicted to come forward elsewhere in the Eco-Town in advance of the SLR and previously deemed acceptable by OCC Highways and CDC.

6.12 The development therefore fully accords with CLP 2015 Policies Bicester 1 (bullets 14, 20, 31-35, 41, 43-45) and ESD1 and national policy, which sets out that development “*should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*”.

Green Infrastructure

6.13 Landscape buffers and strategic landscaped areas will create a network of high-quality spaces which are linked to the open countryside. The application is also supported by a Green Infrastructure Plan, which demonstrates that at least 40% of the total gross site area as green space will be achieved.

6.14 The development therefore fully accords with CLP Policies Bicester 1 (bullets 18, 19, 21, 39, 47, 49) BSC10, BSC11 and ESD17.

Net Biodiversity Gain

6.15 The Ecological Assessment and Biodiversity Strategy & Offsetting Calculation demonstrate how the development will preserve and enhance existing habitats and species on the Site and could create and manage new habitats to achieve an overall gain in biodiversity.

6.16 The scheme therefore satisfies CLP Policies Bicester 1 (bullets 37 and 48) and ESD10.

Scale, Design, Appearance

6.17 The general approach to development at the Site accords with that which was taken to earlier phases of the business park and judged to be acceptable.

6.18 This Application is, accompanied by a Landscape and Visual Impact Assessment (“LVIA”) and a Design and Access Statement (“DAS”) in addition to the proposed plans package.

6.19 The application demonstrates that the development will respect its landscape setting and will integrate appropriately with the surrounding built form (in both the existing and future scenarios) through careful consideration of scale and massing, together with open space and structural planting around the Site.

6.20 The DAS and Energy Strategy go on to illustrate that a high-quality development that accords with the provisions of CLP 2015 Policy Bicester 1 in terms of climate change adaptation and other relevant building standards can be delivered.

6.21 The application also demonstrates that the proposed quantum of development can be appropriately accommodated on the Site without compromising the residential amenity of existing nearby properties (the closest of which lie to the east of Howes Lane), or future occupiers of the residential development proposed to the north and west of the Site.

Site-Wide and Community Infrastructure

- 6.22 Heads of Terms for a Section 106 Agreement will be the subject of negotiation with CDC during the determination of the application, and Draft Heads of Terms are set out later in this Report.
- 6.23 As with earlier phases of development at Axis J9, the Applicant is committed to making proportionate contributions and/or on-site provision for relevant site-wide and community infrastructure necessary to support the delivery of the wider Eco-Town where these would satisfy Regulation 122 of the Community Infrastructure Levy Regulations 2010/948 (“the CIL Regulations”) and the corresponding provisions of the NPPF.
- 6.24 The development will therefore be in full accordance with the requirements of CLP 2015 Policy Bicester 1.

Other Environmental Considerations

Flood Risk and Drainage

- 6.25 Whilst the Site lies in Flood Zone 1 (which is at low risk of flooding), the application is accompanied by a Flood Risk and Drainage Assessment (“FRA”) which demonstrates that the development would not be at risk of flooding and nor would it increase the risk of flooding elsewhere.
- 6.26 The FRA additionally sets out a site-wide approach to drainage, which has had due regard to the requirements of CLP 2015 Policy Bicester 1 to provide sustainable drainage systems in accordance with CLP 2015 Policy ESD7.

Archaeology

- 6.27 The potential archaeological interest of the Site has been considered during earlier phases of the development at Axis J9, and the findings of investigations which have previously taken place are set out in the Archaeology Statement.

Lighting

- 6.28 The application is accompanied by a lighting assessment, which concludes the development will not have any significant detrimental impacts on the amenities of residential receptors along the Site boundaries and, similarly, dark corridors within and beyond the Site will be retained along potential bat foraging/commuting routes. The lighting associated with the development will also not have a significant effect on the surrounding dark sky landscape.

Air Quality

- 6.29 The Site is not located within an Air Quality Management Area (AQMA) but the application is supported by an Air Quality Assessment.

- 6.30 During the construction phases, the development has the potential to give rise to include dust emissions from earthworks, construction activity and construction vehicles. A construction environmental management plan (“CEMP”) will however be in place to ensure that best practice measures are used to minimise dust at all stages of the construction works. With these mitigation measures in place, the effects from the construction are not predicted to be significant.
- 6.31 For the completed and occupied Development, exhaust emissions from vehicles was identified as the main aspect of the development that has the potential for air quality effects. The significance of the effects for nitrogen dioxide and particulates from the development has been determined to be “negligible” for all existing receptors and the proposed receptors.

Noise

- 6.32 A noise assessment has been undertaken of the Development which considers the effects of construction noise and effects of the completed development associated with an increase in road traffic from the employment use and other activities within the Site.
- 6.33 Likely sources of noise during construction would be during periods of earthworks associated with plant/equipment and vehicle traffic. The noise levels during construction at the closest residential properties have been calculated using worst case assumptions. The calculations conclude that the effects on these properties would not be significant during the day.
- 6.34 Best practice construction methods would be implemented as part of a CEMP to control noise, such as limiting working hours, equipment selection, location and maintenance. With these best practice measures in place, the effects on the closest residential properties would not be significant.
- 6.35 Vibration from construction activities would also not be significant.
- 6.36 Traffic data has been analysed to establish whether increases in traffic associated with the operational phase would lead to noise effects at nearby residential properties. At the closest properties, the predicted change in noise levels from the increase in road traffic would be negligible.
- 6.37 Noise effects during this phase could arise from activities such as vehicles arriving at the development, operations within the employment units, building services plant (e.g. ventilation units) and vehicles (HGVs and forklifts) in servicing yards.
- 6.38 The layout of the scheme has been designed specifically to minimise noise impacts on residential development to the east of Howes Lane.

Summary

- 6.39 The proposed development is in full accordance with the relevant policies of the DP.
- 6.40 It will deliver zero carbon development in accordance with the provisions of the NWB SPD and fully satisfies the relevant requirements of the NPPF. There are no impacts of development that are significant or that cannot be mitigated to an appropriate level.

7 Planning Obligations

- 7.1 It is anticipated that, as with earlier phases of development at Axis J9, the Heads of Terms for a Section 106 Agreement will be the subject of negotiation with CDC during the determination of the application.
- 7.2 Based on the obligations which were secured in connection with earlier phases of the Axis J9 business park, it is anticipated that CDC will wish for the Section 106 Agreement to make provision for:
- Construction standards (specifically the achievement of BREEAM 'Very Good' and zero carbon development)
 - Training and employment plan, to include a commitment to 3 apprenticeship starts during the construction phase²
 - Contributions towards public art within the Eco-Town (in the order of £24,000, applying the formula-based approach adopted in earlier phases of the business park)
 - Bus service and bus infrastructure improvements
 - Travel plan monitoring
 - Strategic highway delivery
 - Biodiversity offsetting.
- 7.3 During the course of the application, the Applicant will explore with CDC whether some of these obligations can be avoided through the use of planning conditions. This will reduce the administrative burden on CDC.
- 7.4 The detailed wording of some of the obligations will also need to be carefully considered (for example in relation to demonstrating achievement of BREEAM 'Very Good') to ensure that they do not unintentionally prevent the earliest possible occupation of this much needed development.

² There was a commitment to 7 apprenticeship starts for Phase 1 and 2 of Axis J9.

8 Conclusion

- 8.1 This full application, submitted on behalf of Albion Land, is for the development of flexible employment floorspace and associated infrastructure at the North West Bicester Eco-Town.
- 8.2 The proposals fully accord with the adopted CLP 2015, which allocates the Site and wider area for “zero carbon mixed use development” and there is a plan-led presumption in favour of the development.
- 8.3 The submission follows the successful delivery and sale of Phase 1, and with Phase 2 nearing completion and having been pre-let for full occupation before the end of 2021.
- 8.4 There is evidence of strong market demand for the proposed development, which will be capable of meeting the needs of established, growing and new businesses alike through provision of flexible accommodation and a range of unit sizes.
- 8.5 The development has the potential to deliver in excess of 200 jobs at North West Bicester, as well as a wide range of other benefits for the town – including the delivery of a section of the SLR.
- 8.6 It has been shown through this application that the proposals can be accommodated on the local highway network in advance of the SLR being open and that there would be no impacts that could not be mitigated to an acceptable level.
- 8.7 In these circumstances, the NPPF directs that planning permission should be granted “without delay” (Paragraph 11).



Appendix 1

Policy Matrix



Policy Ref.	Policy Title	Policy Summary	Relevant NPPF Paragraph	How the Scheme addresses Policy
Bicester 1	North West Bicester Eco Town	The Policy sets a number of criteria to guide development of the Eco-Town.		Provides employment development in the south-eastern corner of the Eco Town and supports job delivery objectives.
ESD3	Sustainable construction	The Policy requires new development to incorporate sustainable design and construction technology to achieve zero carbon development in line with Government Policy (subject to the viability of the scheme).		Development will be zero carbon.
ESD7	Sustainable Drainage Systems (Sud's)	Policy ESD 7 sets out the Councils approach to SuDS, which requires all development to use SuDs for the management of surface water run-off. This is justified locally by evidence in CDC's Strategic Flood Risk Assessment and so accords with the NPPF.	169. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.	SuDS are incorporated into the development proposals.



Policy Ref.	Policy Title	Policy Summary	Relevant NPPF Paragraph	How the Scheme addresses Policy
ESD13	Local landscape protection and enhancement	The Policy stipulates that opportunities will be sought to secure the enhancement of the character and appearance of the landscape. Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided.	130. c) Planning policies and decisions should ensure that developments... are sympathetic to local character and history, including the surrounding built environment and landscape setting whilst not preventing or discouraging appropriate innovation or change.	Development will be effectively assimilated into the local landscape.
ESD10	Protection and Enhancement of Biodiversity and the Natural Environment	The Policy seeks a net gain in biodiversity for all development proposals. The protection of trees is encouraged and the Policy sets out measures for the protection and enhancement of biodiversity and the natural environment.	174. 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... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.	Development will protect and enhance biodiversity and will deliver net gains in biodiversity.



Policy Ref.	Policy Title	Policy Summary	Relevant NPPF Paragraph	How the Scheme addresses Policy
ESD17	Green Infrastructure	This Policy requires all strategic development sites to incorporate green infrastructure provision and proposals should include details for future management and maintenance.	92. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: c) enable and support 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	The proposals will achieve in excess of 40% green space.
PSD1	Presumption in Favour of sustainable development	To ensure the council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF.	8. Achieving sustainable development means that the planning system has three over arching economic, social and environmental objectives which need to be peruse in mutually supportive ways.	The scheme contributes to sustainable development through securing development that improves economic conditions for the area.
SLE1	Employment Development	To ensure that employment development is located in sustainable locations, including at Bicester.	81. Planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be places on the need to support economic growth and productivity, taking into account both local nosiness needs and wider opportunities for development.	The scheme promotes economic development in a sustainable location, in an already established area of employment.



Policy Ref.	Policy Title	Policy Summary	Relevant NPPF Paragraph	How the Scheme addresses Policy
ESD1	Mitigating and Adapting to Climate Change	To ensure that measures are taken to promote mitigation and adaptation to climate change, including to distribute growth to the most sustainable locations.	153. Plans should take a proactive approach to mitigating and adapting to climate change.	The scheme addresses the policy by ensuring that employment development is located within a sustainable location that encourages residents to walk and cycle to their place of work.
ESD15	The Character of the Built and Historic Environment	The policy ensures that new development is well-designed, it also encourages an efficient use of land.	126. 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 124. Planning policies and decisions should support development that makes efficient use of land.	The scheme ensures new development is well designed and reflects the character of its environment. The scheme encourages efficient use of land by concentrating employment development into an area of similar uses.



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