

12.27: It is noted with great concern that this development, together with that at Heyford Park, will have a cumulative effect on character and views for the residents of Fritwell.

14.6: FPC are dismayed to note that the potential for light pollution is listed under Non-Significant Topics. The proximity to Fritwell Village would suggest that this is likely to have a significant impact on the village, especially as operation of the completed site is likely to be 24/7.

14.8: Light pollution mitigation is being actively pursued in relation to Heyford Park, in part due to the importance given to it in the MCNP. It is hoped that similar and consistent measures could be implemented in relation to this proposal.

14.37: It is appreciated that a Flood Risk Assessment and a Surface Water Drainage Strategy will be required. Flooding is an ongoing problem for Fritwell residents.

**General Questions to be answered:**

- What are noise predictions at the site (in increased decibels) and range of noise attenuation to what localities? What will be the operational hours (is it 24/7?) of this terminal affecting residents in Ardley, Baynards Green, Fewcott, Fritwell and the new homes at Heyford Park?
- What is the predicted increase in pollution (CO2, NO2, particulates etc.) because of the increased road movements consequential to this scheme? We believe we are in Category 1 area for pollution, would this scheme move our area into a higher pollution category?
- Will there be hazardous materials of a flammable, explosive, chemical, radioactive nature stored at these warehouses? If yes, what are the safety measures to be considered?
- In the case of a catastrophic event such as a fire, what would the predicted area of damage/contamination be locally? Can we see the safety case to make our own assessment, as Fritwell will be the largest conurbation in proximity to this proposed development?

**Fritwell Parish Council July 2021**

Polly Foster

Chair of Fritwell Parish Council

86, East St. Fritwell. OX27 7QF



## Lynne Baldwin

---

**From:** Planning  
**Sent:** 02 July 2021 11:01  
**To:** DC Support  
**Subject:** FW: 3rd Party Planning Application - 21/02235/SCOP

-----Original Message-----

From: BCTAdmin@thameswater.co.uk <BCTAdmin@thameswater.co.uk>

Sent: 02 July 2021 10:36

To: Planning <Planning@Cherwell-DC.gov.uk>

Subject: 3rd Party Planning Application - 21/02235/SCOP

Cherwell District Council  
Planning & Development Services  
Bodicote House  
Bodicote, Banbury  
Oxon  
OX15 4AA

Our DTS Ref: 70035  
Your Ref: 21/02235/SCOP

2 July 2021

Dear Sir/Madam

Re: PART OF M40 IN OS PARCELS 1800, LAND OFF JUNCTION 10 M40 (A43), BAYNARDS GREEN, BICESTER, OXFORDSHIRE , OX27

### Waste Comments

With regard to sewerage and sewage treatment, this comes within the area covered by Anglian Water PLC. For your information the address to write to is Anglian Water PLC, Anglian House, Ambury Road, Huntingdon, Cambs PE18 6NZ Tel:- (01480) 433400

### Water Comments

Thank you for giving Thames Water the opportunity to comment on the above application. Thames Water are the statutory water undertaker for the area and would like to make the following comments: The EIA Regulations 2017 set out in Schedule 4 that water and wastewater issues may need to be covered in an EIA. Thames Water consider the following issues should be considered and covered in either the EIA or planning application submission: 1. The developments demand for water supply and network infrastructure both on and off site and can it be met. 2. Build - out/ phasing details to ensure infrastructure can be delivered ahead of occupation. 3. Any piling methodology and will it adversely affect neighbouring utility services. The developer can obtain information to support the EIA by visiting the Thames Water website <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development>.

Yours faithfully  
Development Planning Department

Development Planning,  
Thames Water,  
Maple Lodge STW,  
Denham Way,  
Rickmansworth,  
WD3 9SQ  
Tel:020 3577 9998  
Email: devcon.team@thameswater.co.uk

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## Appendix 3.4

**ENABLING WORKS EIA SCREENING REQUEST AND CDC  
SCREENING OPINION (AUGUST 2021)**

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**Ref:** Q210325.C.007.EW  
**Email:** elin.fradgley@quod.com  
**Date:** 27<sup>th</sup> July 2021

Rebekah Morgan  
Principal Planning Officer – Major Projects Planning Team  
Environment and Place Directorate  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
OX15 4AA

By Email

Dear Rebekah,

**Proposed Enabling Works, Land adjacent to Junction 10, M40 Motorway – EIA Screening Opinion Request (Regulation 6, The Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

I write further to Albion Land's recent pre-application meeting with Cherwell District Council (CDC) on 2<sup>nd</sup> July 2021 in relation to forthcoming development proposals at the above location. On behalf of the Albion Land (the 'Applicant'), we write to request an Environmental Impact Assessment (EIA) Screening Opinion from CDC in accordance with Regulation 6(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) ('EIA Regulations').

To assist CDC in its adoption of a screening opinion, we enclose figures at Annex 1 and an EIA Screening Appraisal at Annex 2, which satisfy Regulation 6(2) as follows:

- A plan sufficient to identify the Enabling Works Site;
- A description of the development, including physical characteristics of the development and, where relevant, of demolition works;
- A description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
- A description of the aspects of the environment likely to be significantly affected by the development;
- A description of the likely significant effects of the development on the environment resulting from expected residues and emissions and the production of waste, where relevant; and the use of natural resources, in particular soil, land, water and biodiversity; and
- Measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

## The Site and Setting

The Applicant intends to bring forward a planning application for enabling works at Land adjacent to Junction 10, M40 motorway. The subject site of the planning application ('Enabling Works Site') is located immediately north of Junction 10, M40 motorway at Baynards Green, approximately 6.5km north west of Bicester and 1.2km north east of Ardley. The nearest settlement is Fewcett, approximately 750m south west of the Enabling Works Site beyond the M40.

The Enabling Works Site covers an area of approximately 10.6 hectares ('ha') and is bound by the M40 motorway to the west and the A43 to the south. The Enabling Works Site currently comprises land predominantly in arable use together with a small section of the B4100 road. Figures showing the Enabling Works Site location and extent are provided in Annex 1.

## The Enabling Works Proposals

The purpose of the proposed enabling works (the 'Enabling Works') is to provide access and services to part of a future planned employment development ('Employment Development') on adjacent land. The Applicant intends to submit two planning applications in summer 2021 for the Employment Development in due course for two parcels of land, located to the east and west of the A43 ('Eastern Parcel' and 'Western Parcels'). Both Employment Development applications will be submitted in outline with all matters reserved except access, for up to 280,000 square metres (sqm) Gross Internal Area (GIA) warehouse floorspace (B8 Use), along with vehicular access, circulation and open space.

Albion Land has voluntarily commissioned an Environmental Impact Assessment (EIA) process of the planned employment development ('Employment Development') which is already underway. A request for an EIA Scoping Opinion has recently been submitted to CDC for the Employment Development under the EIA Regulations (Ref: 21/02235/SCOP).

Subject to planning permission, part of the planned Employment Development would be occupied by DHL on a plot referred to as the 'DHL Plot'. The indicative layout of the units on the DHL Plot are labelled as Units 2 and 3 on Figure 2. The proposed enabling works will comprise the creation of a new access on the B4100, provision of an internal access works sufficient to service the DHL Plot and drainage works necessary to support the DHL Plot and Unit 1. The details of the Enabling Works are currently being developed in response to site surveys and traffic speed surveys. A more detailed description of the Enabling Works is provided in Annex 1.

The Enabling Works would not involve the construction of development platforms at the DHL Plot or other Plots, earthworks or levelling beyond the boundary shown in Figure 2, or construction of buildings / structures other than those which may be required to support services and drainage infrastructure.



## Consideration of the EIA Regulations

EIA is mandatory for projects listed in Schedule 1 of the EIA Regulations which are typically large scale developments. The Enabling Works are not of a Schedule 1 project type.

EIA is discretionary for projects listed in Schedule 2. If a proposed development is of a type listed in Schedule 2 then it may be classified as EIA development depending on the location of the development (i.e. if it is within a sensitive area) and/or whether it meets any of the relevant thresholds or criteria in Column 2. The screening threshold for item '10(a) industrial estate development' which is can be regarded as being relevant to the proposed Enabling Works is *"The area of the development exceeds 5 hectares"*.

The Enabling Works Site covers an area of approximately 10 hectares (ha) and is over the 5ha threshold, therefore EIA screening is required. It is important to note that this EIA Screening Opinion Request considers the Enabling Works only, and given the nature of these, it is not anticipated that an EIA will be required. However, as the Enabling Works Site is above the Schedule 2 10(a) threshold, an EIA Screening Appraisal has been undertaken and is included at Annex 2. This appraisal considers the characteristics of the Enabling Works, including the potential for cumulative effects with other existing and approved developments.

The Enabling Works Site is not located in, or partly in, a sensitive area as defined by the EIA Regulations.

### Potential for Likely Significant Effects

As the Enabling Works are over the 5ha threshold, the key stage in the screening process is to consider whether such works are *"likely to have significant effects on the environment by virtue of factors such as nature, size or location"*. As required by Regulation 5(4)(c), where a relevant planning authority has to decide whether Schedule 2 development is EIA development, they must take into account the relevant selection criteria set out in Schedule 3. The Screening Appraisal (Annex 2) has had regard to the relevant criteria and concludes that the effects of the Enabling Works are not likely to be significant alone or in cumulation with other existing or approved schemes.

The Government's online EIA planning practice guidance for EIA screening states, *"Only a very small proportion of Schedule 2 development will require an Environmental Impact Assessment"* (Para 018). The 'indicative threshold' provided in the guidance on the scale of an industrial estate development project which may need an EIA is stated as: *"Site area of the new development is more than 20 hectares."*

The proposed Enabling Works falls well below this indicative threshold and based on our Screening Appraisal, we conclude that the proposals are not likely to give rise to significant environmental effects and, as such, does not constitute an EIA development. This conclusion is based principally on the limited scale of the Enabling Works, the characteristics of the proposals and the sensitivity of the receiving environment.

It is acknowledged that the Enabling Works constitute an early phase of the emerging Employment Development. However, EIA case law determines that where a request for a screening opinion should



relate to the development consent being sought. The fact that some time in the future the small project (which in this case comprises the Enabling Works) will form part of a larger project does not mean that the cumulative effects of the larger project has to be considered in the screening process. As such, it is appropriate for the Enabling Works to be screened in isolation from the wider Employment Development.

The Employment Development will be subject to an EIA process which will encompass the Enabling Works Site together with land extending to a total of approximately 67ha. The Enabling Works, even when considered in combination with the Employment Development, would be unlikely to give rise to significant environmental effects and in any event, will be comprehensively assessed as part of the EIA process. CDC should have full confidence that the Applicant is not seeking to circumvent the EIA Regulations by bringing forward an Enabling Works application.

### Mitigation Measures

The EIA Regulations allow mitigation measures, that would avoid or prevent what might otherwise have been significant adverse environmental effects, to be taken into account by the decision maker when considering whether EIA is required for Schedule 2 development.

During the Enabling Works, standard mitigation and good practice measures will be adhered to. These measures will include the following which the Applicant will expect would be secured through planning conditions:

- **Construction Environmental Management Plan (CEMP)** – This will include measures for traffic management, noise and dust control, soil protection, as well as details of any monitoring and reporting required.
- **Archaeological mitigation strategy** – to be agreed with Oxfordshire County Council (OCC).
- **Tree protection measures** – Significant effects on trees are unlikely however, subject to the findings of an Arboricultural Survey (ongoing) and Impact Assessment, measures to protect trees and other vegetation to be retained would be implemented during construction in line with BS 5837:2005.
- **Protected species mitigation measures** – measures to protect badgers and other protected species, including breeding birds, are required by legislation and will be implemented in accordance with relevant provisions.

### Conclusion and Screening Opinion Request

Based on the findings of our own Screening Appraisal, we find that the Enabling Works are unlikely to give rise to significant environmental effects and, as such, do not constitute an EIA development. However, as set above we are seeking a screening opinion from CDC.

As you will be aware, Regulation 5(5) requires that in the screening opinion, the local authority should state: *‘the main reasons for their conclusion with reference to the relevant criteria listed in Schedule 3’*. We would be grateful if you could confirm receipt of this request and therefore the start date for the 21-day decision period and that you are satisfied you have sufficient information to make your screening opinion. Should you require any further information in order to prepare your screening opinion and reasons for your decision, please do not hesitate to contact me.



Yours sincerely,



Elin Fradgley  
Director

Enc. Screening Appraisal  
cc.  
Emma Lancaster, Quod  
Kelvin Pearce, Albion Land

# ANNEX 1

## Figures

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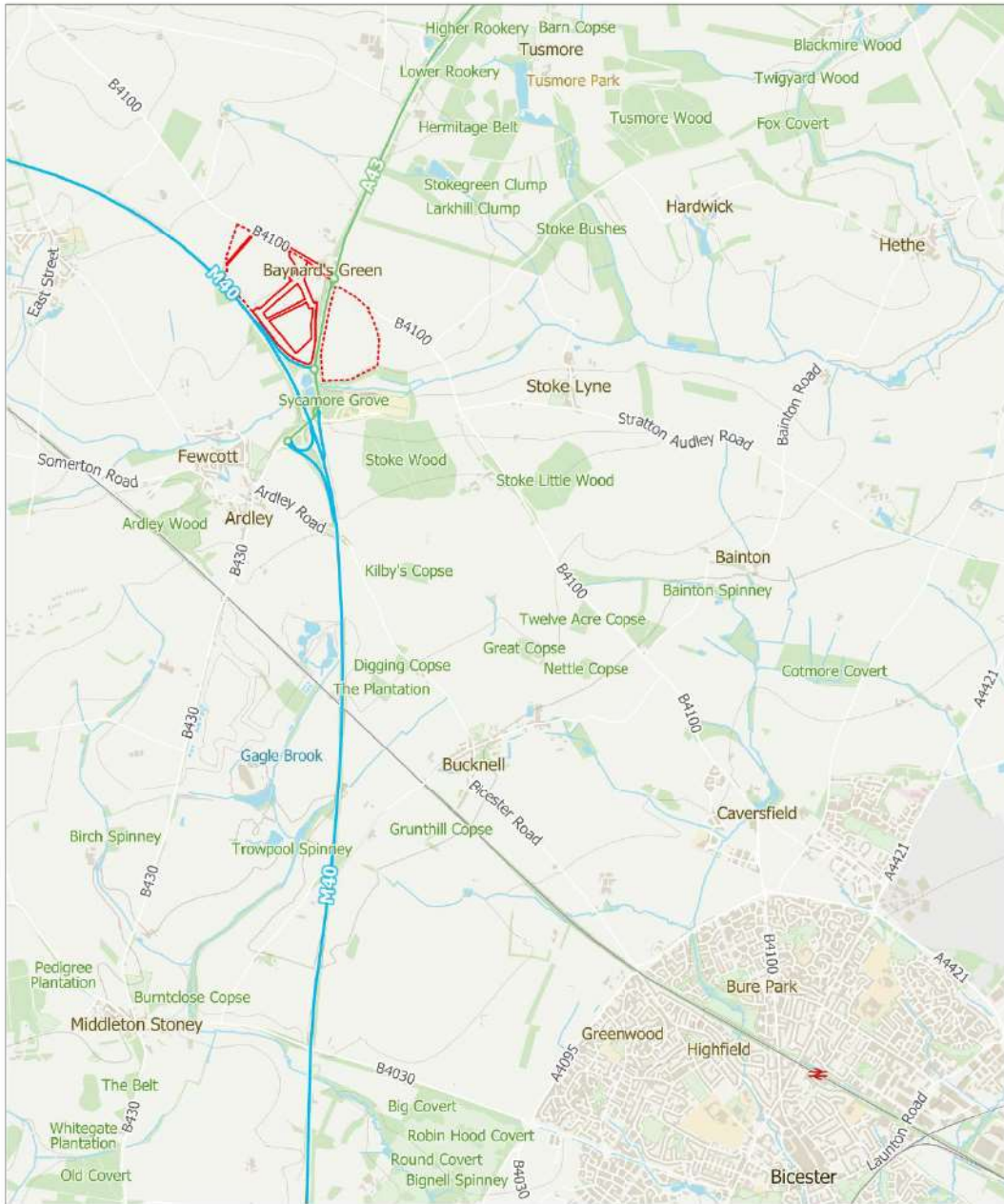
Figure 1: Site Location Plan

Figure 2: Indicative Boundary of Proposed Enabling Works and Enabling Works Site

Figure 3: Concept Drainage of Proposed Enabling Works Site

Figure 4: Environmental Sensitivities

Figure 1: Site Location Plan



**Legend**

- Enabling Works Site Boundary
- Land at J10, M40 Site Boundary (Western and Eastern Parcel)

Site Location Plan



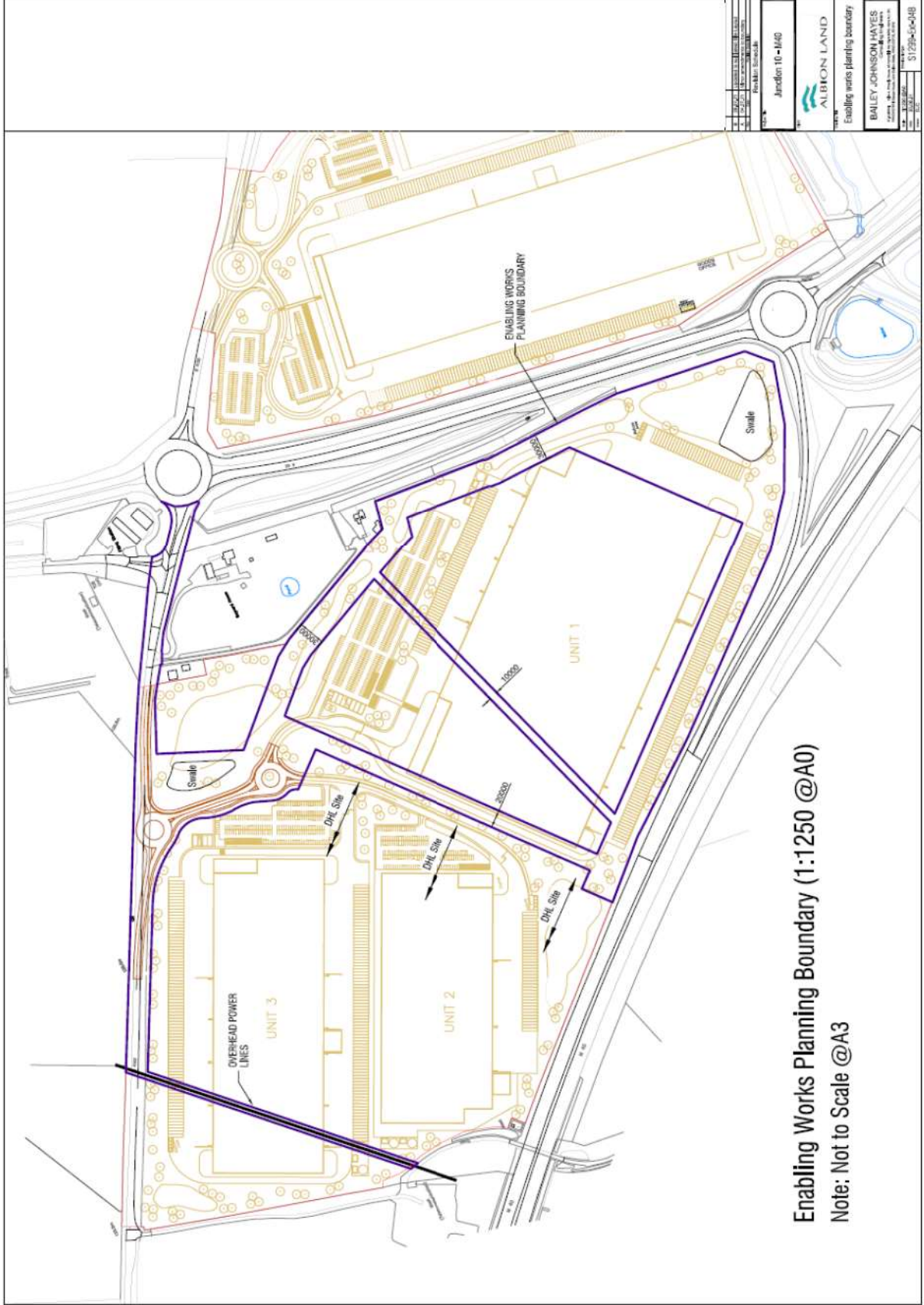
Scale: 1:30,000 @ A4 | July 2021

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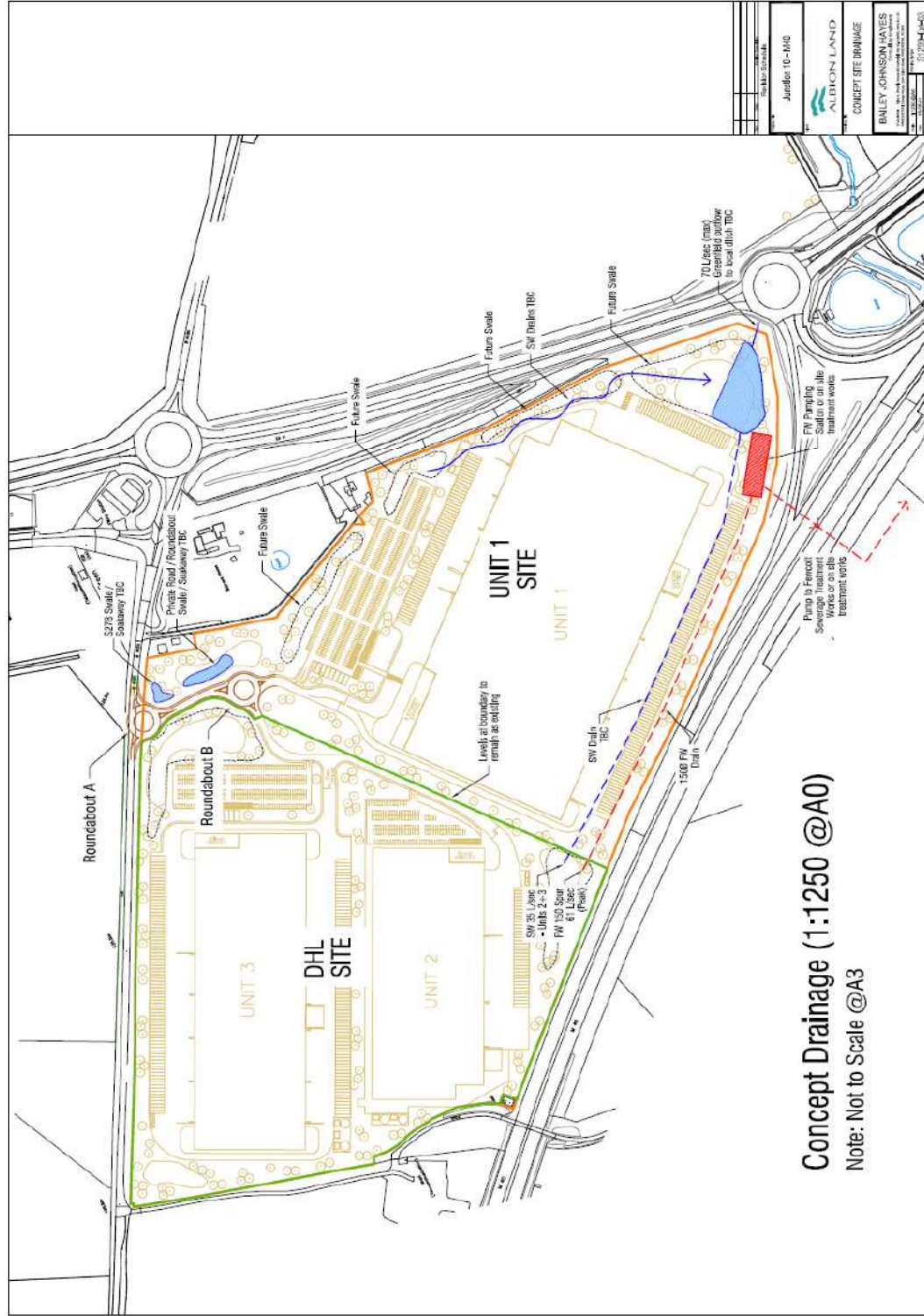
Figure 2: Indicative Boundary of Proposed Enabling Works and Enabling Works Site



Enabling Works Planning Boundary (1:1250 @A0)  
Note: Not to Scale @A3

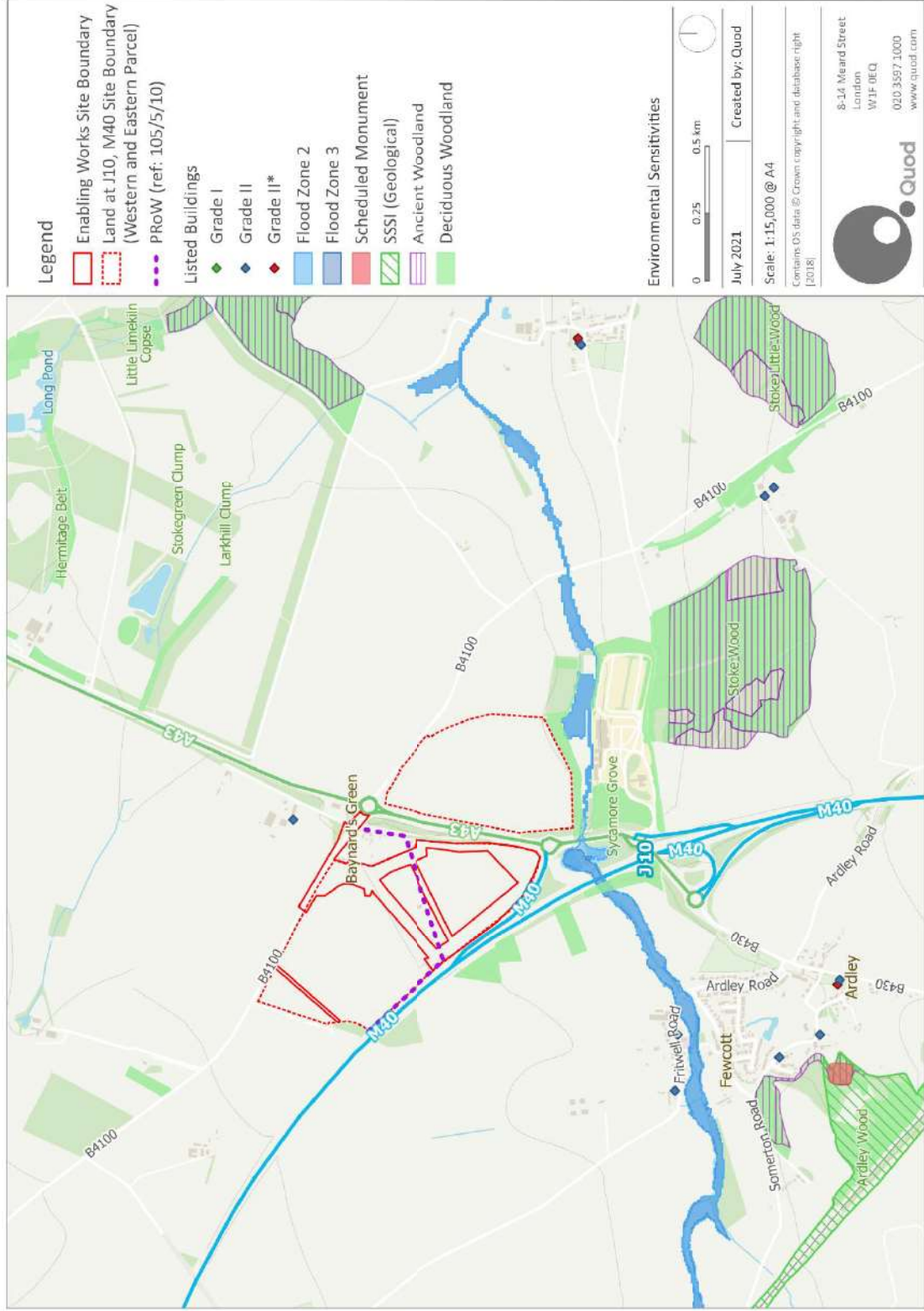


Figure 3: Concept Drainage of Proposed Enabling Works Site



Concept Drainage (1:1250 @A0)  
 Note: Not to Scale @A3

Figure 4: Environmental Sensitivities





## ANNEX 2

# EIA Screening Appraisal: Proposed Enabling Works for Employment Use, Land adjacent to Junction 10, M40 Motorway

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Schedule 3 of the EIA Regulations sets out selection criteria that should be considered, including the characteristics of the development, its location, the type and characteristics of the potential impacts and the possibility of effectively reducing the impact. This Annex provides an appraisal of the Development with reference to these criteria.

### a. Site Location and Description

The Enabling Works Site covers an area of approximately 10.6 hectares ('ha') and is bound by the M40 motorway to the west and the A43 to the south. It is centred at National Grid Reference SP 54635 29097. A Site Location Plan and indicative boundary of the Enabling Works Site are shown in Annex 1, Figure 1 and Figure 2 respectively.

The Enabling Works Site predominantly comprises existing agricultural land, currently in use for arable farming together with a small section of the B4100 road. The field that houses the Enabling Works Site has narrow tree belts around some of its perimeters and comprises areas of bare ground, buildings, dry ditches, hedgerows (species-rich hedgerows, defunct species-poor hedgerows and hedgerows with trees), improved grassland, scattered trees, dense and scattered scrub, and tall ruderal vegetation. No Tree Preservation Orders (TPOs) are present within the Site boundary. The Site is located immediately north of Junction 10, M40 motorway at Baynards Green, approximately 6.5km north west of Bicester and 1.2km north east of Ardley. The nearest settlement is Fewcett, approximately 750m south west of the Site boundary beyond the M40.

Vehicular access to the Enabling Works Site will be gained via the B4100. The Site is located close to the Strategic Road Network with easy access to the A43 and Junction 10 of the M40.

A small number of residential properties are located adjacent to the Enabling Works Site boundary, in Baynards House and across the B4100 in Baynards Green (approximately 200m north of the Enabling Works Site). Baynard House, The Cottages and associated outbuildings, and Medkre are located to the east of the Enabling Works Site.

### Environmental Sensitivities

The Enabling Works Site is not located within a 'sensitive area' (as defined in Part 1 of the EIA Regulations) (i.e. a Site of Special Scientific Interest (SSSI), National Park, Area of Outstanding Natural Beauty (AONB), World Heritage Site, Scheduled Monument or European Site<sup>1</sup>) and is not subject to any statutory or non-statutory designations for nature conservation or heritage.

There are no World Heritage Sites (WHS), Scheduled Monuments, Registered Parks and Gardens or Registered Battlefields within the Enabling Works Site, or within 1km of its boundary. There are no statutory or non-statutory ecological designations within 2km radius of the Enabling Works Site. The

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<sup>1</sup> As defined by the Conservation of Habitats and Species Regulations 2010.



nearest designated site is Ardley Cutting and Quarry geological SSSI, located approximately 1.25km south of the Site boundary. Ardley Trackways geological SSSI is located approximately 1.8km south of the Enabling Works Site. A pocket of ancient woodland within Stoke Wood which also includes semi natural woodland is located approximately 730m south east of the Enabling Works Site. Tusmore Park, a historic parkland and Scheduled Monument, is located 1km north east and Ardley Wood moated ringwork Scheduled Monument is located approximately 1.4km south west of the Enabling Works Site.

The fields within the Enabling Works Site are bounded by some narrow tree belts, dry ditches, hedgerows (mainly defunct species-poor hedgerows and hedgerows with trees), improved grassland strips, scattered trees, dense and scattered scrub, and tall ruderal vegetation.

The closest heritage assets are the Grade II listed barn at Baynards Green Farm, located approximately 200m north of the Enabling Works Site boundary. It is not located in an Area of Archaeological Potential and there are no statutory or non-statutory heritage designations on-site.

Based on the Environment Agency flood maps, the Enabling Works Site is shown to be located entirely within a Flood Zone 1. The majority of the Site is subject to a very low risk of flooding from surface water, although a localised area of land within the southern corner of the Enabling Works Site is subject to a medium risk of flooding from surface water. The Enabling Works Site is not subject to a risk of flooding from reservoirs and does not contain any surface waterbodies.

A Public Right of Way (PRoW) (ref: 105/5/10) crosses part of the Enabling Works Site, bisecting the Employment Development's Western Parcel from the B4100/A43 roundabout in the north east, through the Enabling Works Site extent to the Western Parcel boundary adjacent to the M40.

The Enabling Works Site is not located within, or near, an Air Quality Management Area (AQMA).

Annex 1, Figure 4 illustrates the environmental sensitivities identified within and in close proximity to the Enabling Works Site boundary.

## **b. Size and Design of the Development**

The proposed Enabling Works will essentially comprise the creation of a new access on the B4100, provision of an internal access works sufficient to service the DHL Plot and Unit 1 and necessary drainage works. The details of the Enabling Works are currently being developed in response to site surveys and traffic speed surveys. However, it is anticipated that the Enabling Works are likely to include:

- Construction of a new access roundabout (roundabout 'A') on the B4100;
- Construction of an internal roundabout (roundabout 'B'), including adjacent footpaths, landscape verge and street lighting;
- Construction of a 7.3m wide roadway (including adjacent footpaths, landscape verge and street lighting) to connect roundabout A and roundabout B;
- Construction of bus layby on the internal access road;
- Foul drainage station to serve the Site, including construction of temporary road to the foul pumping station from the access road and installation of temporary electrical point;
- Construction of swales adjacent to the internal access road;



- Utility connections, including electricity, water, BT and GTT fibre infrastructure;
- Diversion of an existing overhead cable; and
- Provision of soft landscaping and planting.

Any surplus material arisings would be stockpiled on Unit 1 (Employment Development). The Enabling Works would take approximately 9 months to complete. A planning application for the Enabling Works is anticipated to be submitted in August 2021.

### **c. Use of Natural Resources and Production of Waste**

Development of the Enabling Works Site would, by its very nature, require the use of a range of natural and man-made construction materials to complete the scheme. It is expected that the operational consumption of energy, water and other natural resources by the Enabling Works will be minimal due to the nature of the works and would not be significant.

The Enabling Works would be designed to avoid waste material arisings and avoid the need to export materials off-site. Top soil arising from the works would be stored on-site in line with good practice for future re-use. Other waste arisings from the works would be standard in nature and not significant in volume.

### **d. Socio-Economics and Human Health**

The Enabling Works are likely to result in some indirect and induced employment opportunities, as well as spending by the construction workforce in the local area. However, due to the limited size and duration of the Enabling Works (9 months) any economic benefits would not be significant.

The Enabling Works are short term and would not give rise to any emissions which could significantly affect human health.

### **e. Pollution and Nuisances**

#### **Transport and Access**

During the Enabling Works, Heavy Goods Vehicles (HGVs), mobile plant and other vehicles will access and egress the Enabling Works Site. Construction traffic routes and potential effects such as driver disruption, dust and dirt nuisances would be effectively dealt with through standard and widely used management measures secured through a CEMP. It is anticipated that a maximum of 20 HGVs per day will access / egress the Enabling Works Site for deliveries. The site team would travel to / from the Enabling Works via vans and cars, estimated to vary between 10-15 and 40-50 per day respectively. Due to the scale of the works, the temporary increase in HGVs and vehicles on the local road network would not be significant and is unlikely to be noticeable in the context of the existing traffic flows.

Users of the PRoW across the Enabling Works Site would experience some disruption during the works although this is unlikely to be significant with diversion of this PRoW (to follow the south east boundary and along the southern boundary with the M40) being implemented as part of the Enabling Works.

#### **Noise and Vibration**

The closest residential receptors to the Enabling Works Site are adjacent to the red line boundary, in Baynards House, The Cottages and associated outbuildings as well as inhabitants of Baynards Green, immediately north of the B4100 – a village of circa 450 people.



The Enabling Works would be undertaken over only a short period of time (9 months). The nature of the works is such that they are unlikely to generate significant noise or vibration effects on nearby receptors. Whilst there could be some temporary noise effects, these are would be controlled by industry standard good practice measures including acoustic screening / site hoardings and ensuring works are undertaken within agreed hours.

Where a receptor is affected by continuous traffic flow, significant increases in traffic flows are required to generate a 'just perceptible' change of 3dB. The volumes of construction traffic (approximately 20 HGVs per day) generated by the Enabling Works would be temporary and would not lead to a perceptible increase in traffic noise. Therefore, the Enabling Works would not result in any significant effects on local noise sensitive receptors. Noise from the Enabling Works Site and associated construction traffic is therefore unlikely to give rise to significant effects at sensitive receptors.

HGVs accessing / egressing the Enabling Works Site would have the potential to cause highly localised vibration effects along the B4100. However, given the limited volumes of traffic likely to be required to service the Enabling Works, effects would not be perceptible at receptors.

### Air Quality

The Enabling Works Site is not located within or in the vicinity of an AQMA. The nearest AQMA is located in Bicester, approximately 6.5km south east of the Enabling Works Site, declared as a result of exceedances of the annual mean nitrogen dioxide (NO<sub>2</sub>) objective. The closest sensitive receptors which may be potentially affected by the Enabling Works are residents adjacent to the Enabling Works Site and north of the B4100 in Baynards Green.

Standard good practice measures will be implemented during the works which would effectively minimise and control dust at source through the CEMP, e.g. water suppression and covering of transport vehicles. Dust control measures included within the CEMP will be based on guidance published by the Institute of Air Quality Management<sup>2</sup>. With such measures in place, dust effects would not be significant.

Construction plant and equipment used for the Enabling Works will be required to comply with current EU emissions standards. As stated above, traffic generated by the Enabling Works would be minimal and whilst the vehicles would lead to some emissions of NO<sub>x</sub> and particulates, these would be insignificant and well below the relevant screening threshold for air quality assessment<sup>3</sup>.

### Ground Conditions and Contamination

An intrusive ground investigation is presently being undertaken at the Enabling Works Site and surrounding land to inform the detailed design and EIA process for the Employment Development. Desk-based studies, however, confirm that the Enabling Works Site has been undeveloped land since early records in 1880. British Geological Survey (BGS) records indicate that the topsoil is underlain by small areas of superficial deposits overlying the White Limestone Formation. Groundwater has

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<sup>2</sup> Air Quality Management (2014). IAQM Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, London.

<sup>3</sup> Moorcroft and Barrowcliffe. et al. (2017) Land-use Planning & Development Control: Planning for Air Quality. v1.2. Institute of Air Quality Management, London



been encountered at depths of 1.73m, 4.0m and 7.0m within the limestone. There was no evidence of any contamination, mining, or other ground related risks on-site.

Due to the lack of contamination and ground conditions risk issues, significant environmental effects are unlikely.

### **Water Resources, Flood Risk and Drainage**

No watercourses or water features are present the Enabling Works Site which would be affected by the works. The Enabling Works Site is within Flood Zone 1, i.e. it is subject to a low probability of fluvial flooding. The majority of the Enabling Works Site is subject to a very low risk of flooding from surface water, although a localised area of land within the southern corner is subject to a medium risk of flooding from surface water. This risk could be effectively mitigated through engineered site levels and detailed drainage design. A concept drainage scheme has been designed (Figure 3) which is not yet fixed and would subject to approval by Oxfordshire County Council and Environment Agency to ensure it meets the required run-off rates.

Part of the Enabling Works will comprise the construction of swales to ensure the final Employment Development, including the Enabling Works, does not give rise to significant flood risk elsewhere. It is proposed that surface water will be discharged into such swales, and will therefore form part of the SuDS techniques employed on-site.

Potential risks to the underlying groundwater aquifer and surface water are minimal due to the nature of the works and would be effectively controlled through standard measures secured through the CEMP.

### **f. Archaeology**

A desk-based archaeological assessment has been undertaken for the Enabling Works Site and wider Employment Development Site. A programme of archaeological geophysical surveys has also been undertaken.

Given the undeveloped nature of the Enabling Works Site, effects on buried archaeology are possible due to excavation, although there is no known knowledge of significant archaeology being present. However, should archaeological remains be present, these would most likely be of a local or possibly regional importance (Low to Medium significance respectively) and adverse effects could be suitably mitigated by preservation by record (archaeological fieldwork). An appropriate mitigation strategy will be discussed and agreed such that significant adverse residual effects could be avoided. All work will be undertaken in consultation with the OCC Archaeologist, in their role as advisors to CDC.

### **g. Built Heritage**

The Enabling Works Site does not contain any designated or non-designated heritage assets. The closest heritage asset is the Grade II listed barn at Baynards Green Farm, located approximately 200m north of the Enabling Works Site boundary. The nature of the Enabling Works are such that significant effects on the setting of this listed building would not occur. No other heritage assets would be affected by the Enabling Works.

### **h. Landscape and Visual Impact**

There are no statutory or non-statutory landscape value designations on or near the Enabling Works Site which would be affected by the Enabling Works. The Enabling Works Site predominantly



comprises fields bound by hedgerows and trees and part of the B4100 road corridor (including roundabout connecting to A43). The fields affected by the Enabling Works Site are open in character but no unique landscape features of value would be affected. A PRow (ref: 105/5/10) crosses part of the wider Employment Development Site, dissecting through the Enabling Works Site boundary (Annex 1, Figure 4). This PRow will be diverted to follow the south east boundary and along the southern boundary with the M40 as part of the works.

Potential effects on landscape character and local visual receptors would be temporary and are unlikely to be significant due to the nature of the works.

## **i. Ecology**

There are no European Protected sites within 10km of the Enabling Works (e.g. RAMSAR, Special Area of Conservation (SACs), Special Protection Areas (SPAs)) and there are no statutory or non-statutory ecological designations within a 2km radius of the Enabling Works Site. The closest ecologically designated site is Ardley Cutting and Quarry, a geological SSSI, located 1.25km south west of the Enabling Works Site. Ardley Trackways geological SSSI is located approximately 1.8km south of the Enabling Works Site. Stokes Bushes Local Wildlife Site (LWS) is located approximately 1.2km north east of the Enabling Works Site. Stoke Wood LWS and Stoke Little Wood LWS are located 700m south and 1.9km south east of the Enabling Works Site respectively. Ardley Fields Quarry LWS is located 1.8km south of the Enabling Works Site and the Upper Heyford Airfield LWS is located 1.9km south. Ancient woodland and some semi-natural woodland is located approximately 730m south east of the Enabling Works Site. Annex 1, Figure 4 illustrates the above sensitivities. Overall, the Enabling Works Site is considered to be of a sufficient distance from these designations to not result in significant effects.

Some trees are present within, or in proximity, to the Enabling Works Site boundary, as well as hedgerows and dense scrub habitat. The hedgerows along the north east boundary of the Employment Development's Western Parcel, encompassing a large portion of the Enabling Works Site, would experience hedgerow removal, however appropriate native hedgerow replanting and buffers would be implemented to offset this loss. A defunct species-poor hedgerow bisecting the Enabling Works Site would be removed once construction activities commence. This hedgerow is of low ecological value. The majority of the Enabling Works Site comprises arable land, which is of low ecological value. As such, Enabling Works are not expected to give rise to any significant ecological effects.

Badgers are known to be active in the area of the Enabling Works Site and therefore appropriate mitigation strategies and an appropriate licence will be prepared and implemented in line with standard practice and protective legislation (Protection of Badgers Act 1992). Vegetation removal would be undertaken outside of the bird breeding season (defined as March to August inclusive) to avoid disturbance to nesting birds in line with legislative requirements (Wildlife and Countryside Act 1981). If this is not feasible, the vegetation removal would be supervised by a suitably qualified ecologist to ensure that no active birds nests are present before works commence.

There is a potential barn owl roost in the derelict farm building present within the Western Parcel encompassing the Enabling Works Site. As barn owls are protected under Schedule 1 of the Wildlife and Countryside Act, a pre-works surveys will be completed to assess if any barn owls are present. If so, any works involving the building would be supervised by a suitably licensed ecologist to make sure that if present, barn owls are not disturbed.



A suitably qualified ecologist would oversee the Enabling Works to ensure compliance with wildlife legislation. An ecological appraisal and protected species mitigation plan will accompany the planning application and will outline the relevant mitigation strategies. Landscaping will be delivered as part of the Enabling Works to offset habitat loss and deliver some biodiversity benefits, although these would not be significant.

#### j. Microclimate

Given the nature of the Enabling Works, they would not generate any microclimate effects such as wind, daylight, sunlight, overshadowing or light pollution.

#### k. Risk of Major Accidents and Disasters

There are no Control of Major Accidents Hazards (COMAH) registered activities within or in close vicinity to the Site. Construction of the Enabling Works will be undertaken in accordance with current health and safety regulations and guidance, in order to minimise the risk of accidents. Once complete, the Enabling Works will not include the use of particularly hazardous substances or technologies, and therefore risks associated with major accidents or disasters would be insignificant.

#### l. Risk to Human Health

The most significant risks to human health relate to poor ambient air quality and noise conditions. As set out above, these issues are capable of being addressed during construction works through standard mitigation measures as part of the CEMP that will likely be conditioned for the Enabling Works and, for the completed works, through design. The Enabling Works are not expected to introduce any activities that would affect the health of the local population, and therefore, are not considered likely to give rise to significant effects.

#### m. Climate Change

The Enabling Works will give rise to some greenhouse gas emissions although these would not be significant due to the limited scale and nature of the works.

#### Cumulation with Other Developments

Table 1 provides a schedule of other approved development schemes (known as ‘Cumulative Schemes’) which have been identified in proximity to the Enabling Works Site. This list was principally compiled based on the proximity of each scheme to the Enabling Works Site.

Table 1: Schedule of Cumulative Schemes

Cumulative Scheme	Distance from Enabling Works Site boundary
<p><b>21/02235/SCOP</b>  <b>Scoping Opinion – Employment Development (Albion Land)</b>            Outline permission, all matters reserved except access, is proposed to be sought for circa 280,000 square metres (sqm) Gross Internal Area (GIA) warehouse floorspace (B8 Use), along with vehicular access, circulation and open space (the ‘Development’). Two outline planning applications will be submitted for the two parcels of land – eastern and western parcel.            Land at Junction 10, M40, OX27.</p>	<p>Enabling Works form part of this scheme, therefore the majority are encompassed within red line boundary of Land at J10.</p>

Cumulative Scheme	Distance from Enabling Works Site boundary
Decision – Scoping Opinion due July 2021	
<p><b>18/00825/HYBRID</b>  A hybrid planning application for a site at Heyford Park for construction of up to 1,175 new dwellings, 35,175 sqm employment space, retail floorspace and new medical and educational facilities.  Heyford Park.  Decision – Currently under Consultation (July 2021)</p>	<p>Approx. 2.2km south east of Enabling Works Site.</p>
<p><b>14/01675/OUT as amended by NMA 19/00347/OUT and MMA 20/03199/OUT</b>  Outline planning permission for the erection of up to 53,000 sqm of floor space to be for B1, B2 and B8 (use classes) employment and 150 residential units.  NW Bicester.  Decision – Approved.</p>	<p>Approx. 5.7km south west of Enabling Works Site.</p>
<p><b>APP/C3105/W/20/3259189</b>  Provision of a new leisure resort incorporating waterpark, family entertainment, hotel, conferencing facilities and restaurants with associated access, parking and landscaping.  Land to the east of M40 and south of A4095, Chesterton, Bicester, Oxfordshire.  Decision – Approved at appeal.</p>	<p>Approx. 7.5km south of the Enabling Works Site.</p>

The nature of the Enabling Works are such that the effects are unlikely to be significant when considered in cumulation with other developments. The Enabling Works will be complete before the Employment Development commences and as such, there could be no cumulative construction effects.



# Planning and Development

David Peckford, Assistant Director – Planning and Development



**Cherwell**  
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Please ask for: **Rebekah Morgan**

Direct Dial: **01295 227937**

Email: **Rebekah.morgan@cherwell-dc.gov.uk**

Your Ref: **Q210325.C.007.EW**

---

16th August 2021

Dear Sir,

## TOWN AND COUNTRY PLANNING ACT 1990

<b>Application No.:</b>	21/02581/SO
<b>Applicant's Name:</b>	Albion Land
<b>Proposal:</b>	Proposed Enabling Works
<b>Location:</b>	Land adjacent to Junction 10, M40
<b>Parish(es):</b>	Ardley with Fewcott Stoke Lyne

I write with regard to the above application, registered on 27<sup>th</sup> July 2021, which represents a formal request for a Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as to whether the proposal set out in your submission requires an Environmental Impact Assessment (EIA). This letter constitutes the Local Planning Authority's Screening Opinion of the proposal.

### Summary of Determination

The Local Planning Authority considers that the proposal represents an 'Industrial Estate Development Project' that falls within Schedule 2, section 10(a) of the Regulations. The site area would exceed the applicable threshold in column 2 of Schedule 2 although the development is not within a sensitive area. For the development to be considered an EIA development, it would be likely to have significant effects on the environment by virtue of factors such as its nature, size or location. In determining whether the proposals are likely to constitute EIA development, regard has been had to the criteria set out in Schedule 3 of the EIA Regulations 2017. Government guidance relating to EIA as set out in the Planning Practice Guidance (PPG) is also material and has also been taken into account.

The proposed '*enabling works*' are a pre-emptive proposal directly related to a far greater scale of development on the site, which has not yet secured planning permission. Whilst the applicant argues the enabling works are a '*smaller project*' and therefore should not be considered as part of a bigger project that may come forward in the future, the Local Planning Authority does not agree with that contention.



The nature of the works are specifically intended to facilitate provision of vehicular access to the larger portion of the site and associated highway works – the scale of the works proposed is directly related to the 'larger project' and its anticipated highway movements/impacts. The enabling works do not represent a 'small project' that could be delivered in isolation and would only commence if planning consent is ultimately secured for the larger project. The applicant referred to 'case law' but did not provide any details/references and it is not clear if the reference is to cases that specifically involve proposals for enabling highways work that are an integral part of the larger project.

Given the scale of the site proposed to be developed, significant environmental effects are likely to result when considered against the EIA Regulations and in considering the wider proposal as a whole. The Local Planning Authority considers that **this proposal does constitute EIA Development.**

### **Reasons for Determination**

The enabling works site measures approximately 10.6 hectares ('ha') in size and is located to the north of Junction 10 of the M40 at Baynards Green, approximately 6.5km north west of Bicester and 1.2km north east of Ardley. The parcel of land served by the enabling works is positioned between the M40, the A43 and the B4100 in a triangular shape. The purpose of the enabling works is to provide access and services to part of a future proposed employment development on the surrounding land. The future proposed employment project includes two parcels of land situated to the east and west of the A43, with the proposed enabling works proposed to serve the larger proposal to the west.

The applicant has acknowledged the significant environmental impacts of the larger project and voluntarily commissioned an Environmental Impact Assessment (EIA) for the proposed employment development.

The land consists of 5 irregularly shaped fields, all with clearly defined boundaries of hedging with some trees. The eastern boundary is adjacent to an area of tree planting that gets gradually wider towards the Baynards Green roundabout. The eastern corner of the site is adjacent to a small cluster of dwellings.

It is stated in the accompanying documentation that *"the proposed enabling works will comprise the creation of a new access on the B4100, provision of an internal access works sufficient to service the DHL Plot and drainage works necessary to support the DHL Plot and Unit 1"*.

The land identified within this Screening request by the applicant is limited only to the land required for the construction of the enabling works. It is the Local Planning Authorities view that the enabling works are an integral part of the larger proposed development and cannot be carved off as a smaller project. The enabling works have been designed to specifically meet the requirements of the larger project and the two proposals are intrinsically linked. Therefore, the potential environmental impacts of the enabling works have to reflect the larger development that they are solely designed to serve.

The land itself is not within a sensitive area as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 but it has a number of site constraints including potentially ecology, as well as several trees and hedgerows of importance across the wider site and the likelihood of significant environmental issues relating to the highway impacts of the proposal.

The PPG makes very clear that *"local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development"*, and furthermore that *"an application should not be considered in isolation if, in reality, it is an integral part of a more substantial development...in such cases, the need for Environmental Impact Assessment must be considered in the context of the whole development"*.

Substantial development is already taking place at nearby Bicester and the former Upper Heyford airbase, with approximately 6,000 dwellings and jobs for 3,000 being currently developed at North West Bicester Eco-Town, which is partly served off the B4100 and approximately 2,000+ more houses being developed at Heyford Park. Planning permission has also recently been granted for a new Great Wolf Indoor Leisure Resort at Chesterton near Bicester, which is anticipated to generate approximately 1000+ daily traffic movements, with about half of those journeys expected to travel through the M40 junction 10 roundabout. Cumulatively, the impacts of these highway works designed to serve a substantial logistics development combined with the development already approved and being built in the local area are likely to have significant effects.



In addition, although no development has been approved, it is public knowledge that a major Strategic Rail Freight Interchange proposal is being promoted on the opposite side of the M40 at junction 10 as a national infrastructure project that will ultimately be considered in due course by the Secretary of State. If approved, the cumulative impacts of that logistics development and these logistics development proposals would also be significant.

The scale of the larger development proposed at Baynards Green that would be facilitated by these works would have significant landscape and visual impacts and would inevitably lead to a significant increase in traffic along the M40, A43 and B4100 and through the M40/A43 junction 10 roundabout and the A43/B4100 Baynards Green roundabout, which may affect air quality. There would also be subsequent impacts upon existing biodiversity and natural vegetation present on site.

Development of the larger project is of a significant size and would likely have significant environmental and transport effects. In addition, the combined environmental and transport impacts of the North West Bicester Eco-Town, Heyford Park redevelopment and Great Wolf Leisure Resort proposals combined with these proposals would have significant cumulative impacts. In this respect, it is considered that this development cannot therefore be considered in isolation.

Schedule 3 of the EIA Regulations makes it clear that the size of the proposed development and its consequent potential impact need to be considered cumulatively with other existing and/or approved developments.

The Annex to the PPG sets out indicative thresholds as guidance for when a proposed development would be likely to result in significant environmental effects such that it amounts to EIA development. In this respect it regards the indicative threshold is when *'the site area of the new development is more than 20 hectares'*. In this case the potential increases in traffic, emissions and noise are identified as key issues to consider. These thresholds are indicative only as the specifics of the proposed development as well as site circumstances may make significant environmental effects either more or less likely. While the characteristics of the development (enabling works) on their own would not exceed the 20ha threshold, the development must be considered within the context of the proposed larger development project (as set out above). An application should not be considered in isolation if, in reality, it is an integral part of a more substantial development, as this would be.

The land is currently agricultural and given the scale of development proposed on the wider site, there is likely to be significant urbanisation in the area and there are likely to be significant impacts including increases in traffic which may affect air quality, impacts during the construction phases, ecological impacts and impacts upon the landscape. The extent of the impact as well as the duration, frequency and permanent result of the impacts has meant that the Local Planning Authority concludes that the likely significant environmental effects of the development can only be properly assessed through Environmental Impact Assessment.

## **Conclusion**

Whilst the particular proposal is for enabling works only, the impact of this proposal must be considered as an integral part of the larger proposed scheme that it is designed to facilitate. For these reasons, it is considered that the proposed development cumulatively with other surrounding approved developments is likely to have significant effects on the environment and therefore Environmental Impact Assessment is required, and an Environmental Statement is required to be submitted with any future planning application.

This opinion has been made by an appropriately authorised officer at the Local Planning Authority. In accordance with the 2017 Regulations, a copy of this screening opinion has been placed on the Planning Register. In reaching this opinion the Local Planning Authority has considered the factors above, the criteria to Schedule 3 to the EIA Regulations 2017 (as amended) and the Planning Practice Guidance together with the thresholds and criteria set out in the Annex. The Local Planning Authority would encourage the submission of a formal scoping opinion to agree the scope and level of detail of the information to be provided in the Environmental Statement.

If you have any questions or queries regarding the above, please contact the Case Officer using the details provided above.

Yours faithfully.

Rebekah Morgan  
**Principal Planning Officer**

**Agreed By: Andy Bateson, Team Leader – Major Development**





## Appendix 3.5

### LIST OF CUMULATIVE SCHEMES

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Table A.1: List of Cumulative Schemes

ID No	Planning Application Ref.	Address	Description of Proposals	Status	Construction Timelines
<b>Cherwell District Council (CDC)</b>					
1	21/02008/SCOP	Land west of the B430 East of Upper Heyford Former Airfield, Ardley	<p>Consultation on Environmental Statement Scoping Opinion request for nationally significant infrastructure proposal - Oxfordshire Strategic Rail Freight Interchange.</p> <p>The proposed development comprises a rail freight terminal and rail served warehousing located to the south of and adjacent to the Chiltern rail line. The maximum warehouse development footprint applied for will be 675,000 sq.m. (approx. 7.26 million square feet) with an allowance also made for the provision of additional mezzanine floorspace (up to one third of the total floorspace – approximately 225,000 sq.m.). To support this, a number of highway improvements are being proposed, including: an improved and reconfigured Junction 10 of the M40 motorway; a bypass to the east of Ardley linking J10 and the Main Site and providing the Principal Access to the Main Site; a relief road to the north east of Middleton Stoney between the B430 and B4030; and a Secondary Access to the Main Site from a new Heyford Park Link between the B430 and Heyford Park.</p>	Scoping Direction issued 15 <sup>th</sup> July 2021	Opening year of 2026



2	18/00825/HYBRID	Heyford Park, Camp Road, Upper Heyford, Bicester, OX25 5HD	Validated May 2018, currently under consultation
<p>A hybrid planning application consisting of: demolition of buildings and structures as listed in Schedule 1; outline planning permission for up to: &gt; 1,175 new dwellings (Class C3); &gt; 60 close care dwellings (Class C2/C3); &gt; 929 m2 of retail (Class A1); &gt; 670 m2 comprising a new medical centre (Class D1); &gt; 35,175 m2 of new employment buildings, (comprising up to 6,330 m2 Class B1a, 13,635 m2 B1b/c, 9,250 m2 Class B2, and 5,960 m2 B8); &gt; 2,415 m2 of new school building on 2.45 ha site for a new school (Class D1); &gt; 925 m2 of community use buildings (Class D2); and 515 m2 of indoor sports, if provided on- site (Class D2); &gt; 30m in height observation tower with zip-wire with ancillary visitor facilities of up to 100 m2 (Class D1/A1/A3); &gt; 1,000 m2 energy facility/infrastructure (sui generis); &gt; 2,520 m2 additional education facilities (buildings and associated external infrastructure) at Buildings 73, 74 and 583 for education use (Class D1); &gt; creation of areas of Open Space, Sports Facilities, Public Park and other green infrastructure. The change of use of the following buildings and areas: &gt; Buildings 3036, 3037, 3038, 3039, 3040, 3041, and 3042 for employment use (Class B1b/c, B2, B8); &gt; Buildings 217, 3052, 3053, 3054, 3055, 3102, and 3136 for employment use (Class B8); &gt; Buildings 2010 and 3009 for filming and heritage activities (Sui Generis/Class D1); &gt; Buildings 73 and 2004 (Class D1); &gt; Buildings 391, 1368, 1443, 2005, 2006, 2007, 2008 and 2009 (Class</p>			

3	14/01675/OUT as amended by NMA 19/00347/OUT and NMA 20/03199/OUT	Axis J9 Phase 1, OS Parcel 4200, Adjoining Middleton Road And Howes Lane, Bicester	D1/D2 with ancillary A1-A5 use); > Building 340 (Class D1, D2, A3); > 20.3ha of hardstanding for car processing (Sui Generis); and > 76.6ha for filming activities, including 2.1 ha for filming set construction and event parking (Sui Generis); the continuation of use of areas, buildings and structures already benefiting from previous planning permissions, as specified in Schedule 2. Associated infrastructure works.	NMA 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 deletion of condition 20 to reflect removal of temporary access onto Howes Lane (Outline reference number 14/01675/OUT, granted at Appeal - Ref: PP/C3105/W/16/3163551 for the erection of up to 53,000 sq m of floor space to be for B1, B2 and B8 (use classes) employment provision within two employment zones covering an area of 9.45 ha; parking and service areas to serve the employment zones; a new access off the Middleton Stoney Road (B4030); temporary access off Howes Lane pending the delivery of the realigned Howes Lane; 4.5 ha of residential land; internal roads, paths and cycleways; landscaping including strategic green infrastructure (GI); provision of sustainable urban systems (SUDS) incorporating landscaped areas	NMA 19/00347/OUT Validated March 2019 and NMA 20/03199/OUT Validated November 2020. Both Applications permitted
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4	Appeal ref: APP/C3105/W/20/3 259189	Land to the east of M40 and south of A4095, Chesterton, Bicester, Oxfordshire, OX26 1TE	with balancing ponds and swales; associated utilities and infrastructure).  NMA 20/03199/OUT - Variation of condition 13 (extent of employment development usage) of 19/00347/OUT - to enable up to 85% of the commercial site to be occupied for Use Class B.  Great Wolf Leisure Resort – planning application submitted for the redevelopment of existing golf course into water park resort, 498-room hotel, conferencing space, family entertainment centre and restaurants	Appeal overturned and permission granted in May 2021, consultation ongoing	
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## Appendix 5.1

### PARAMETER PLANS AND DRAWINGS

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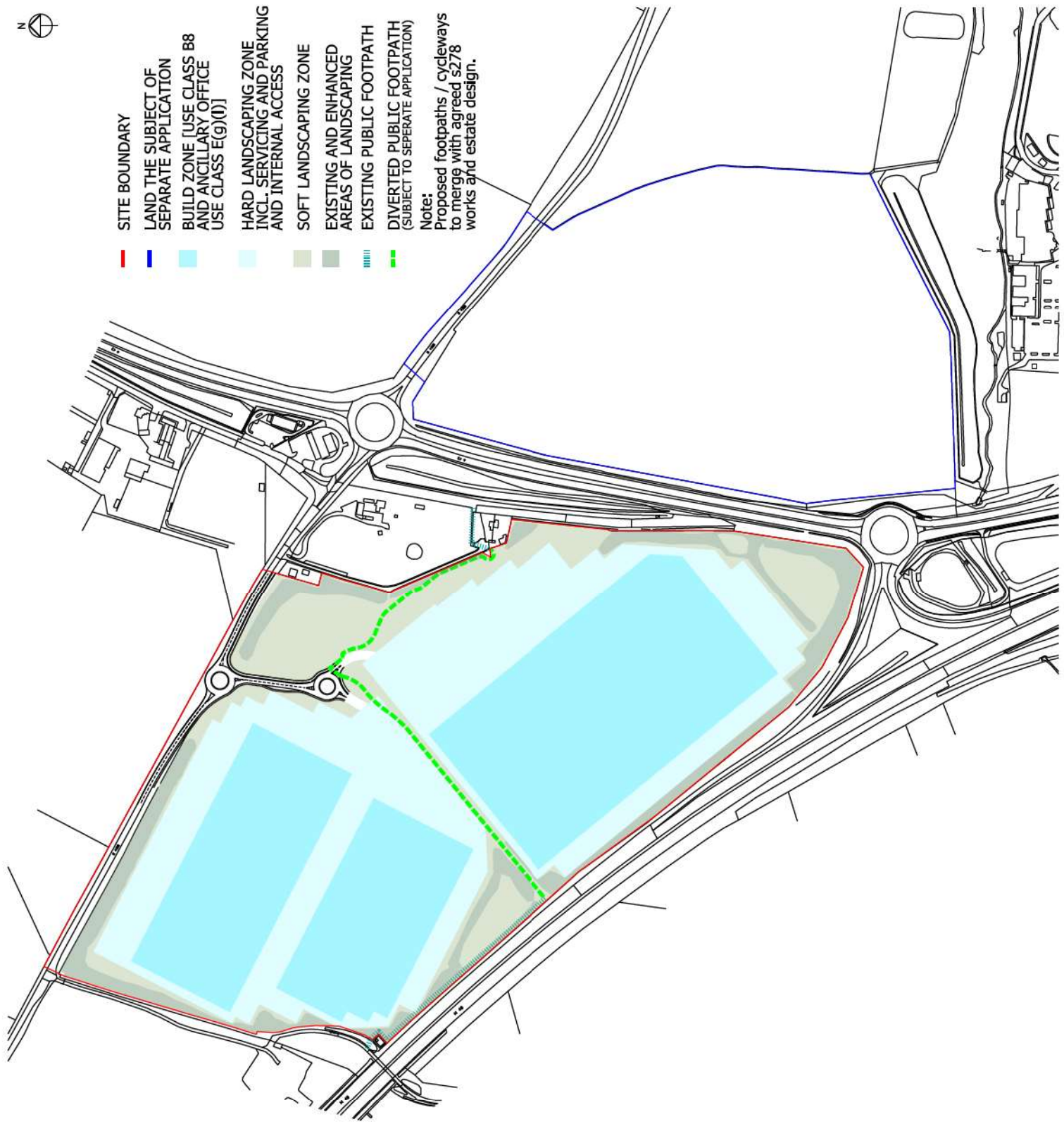
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- SITE BOUNDARY
- LAND THE SUBJECT OF SEPARATE APPLICATION
- BUILD ZONE (USE CLASS B8 AND ANCILLARY OFFICE USE CLASS E(9)(1))
- HARD LANDSCAPING ZONE INCL. SERVICING AND PARKING AND INTERNAL ACCESS
- SOFT LANDSCAPING ZONE
- EXISTING AND ENHANCED AREAS OF LANDSCAPING
- ||||| EXISTING PUBLIC FOOTPATH
- - - DIVERTED PUBLIC FOOTPATH (SUBJECT TO SEPARATE APPLICATION)

**Note:**  
 Proposed footpaths / cycleways to merge with agreed S278 works and estate design.



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PROJECT NO. JUNCTION 10 M40

DRAWING TITLE: PARAMETER PLAN 01  
 LAND USE

TOWN PLANNING

Scale: 0 10 20 metres

Drawing No. A 5 1:2500 @ A1 27/08/2021 5 M

ALBION LAND

20005 - TP - 002

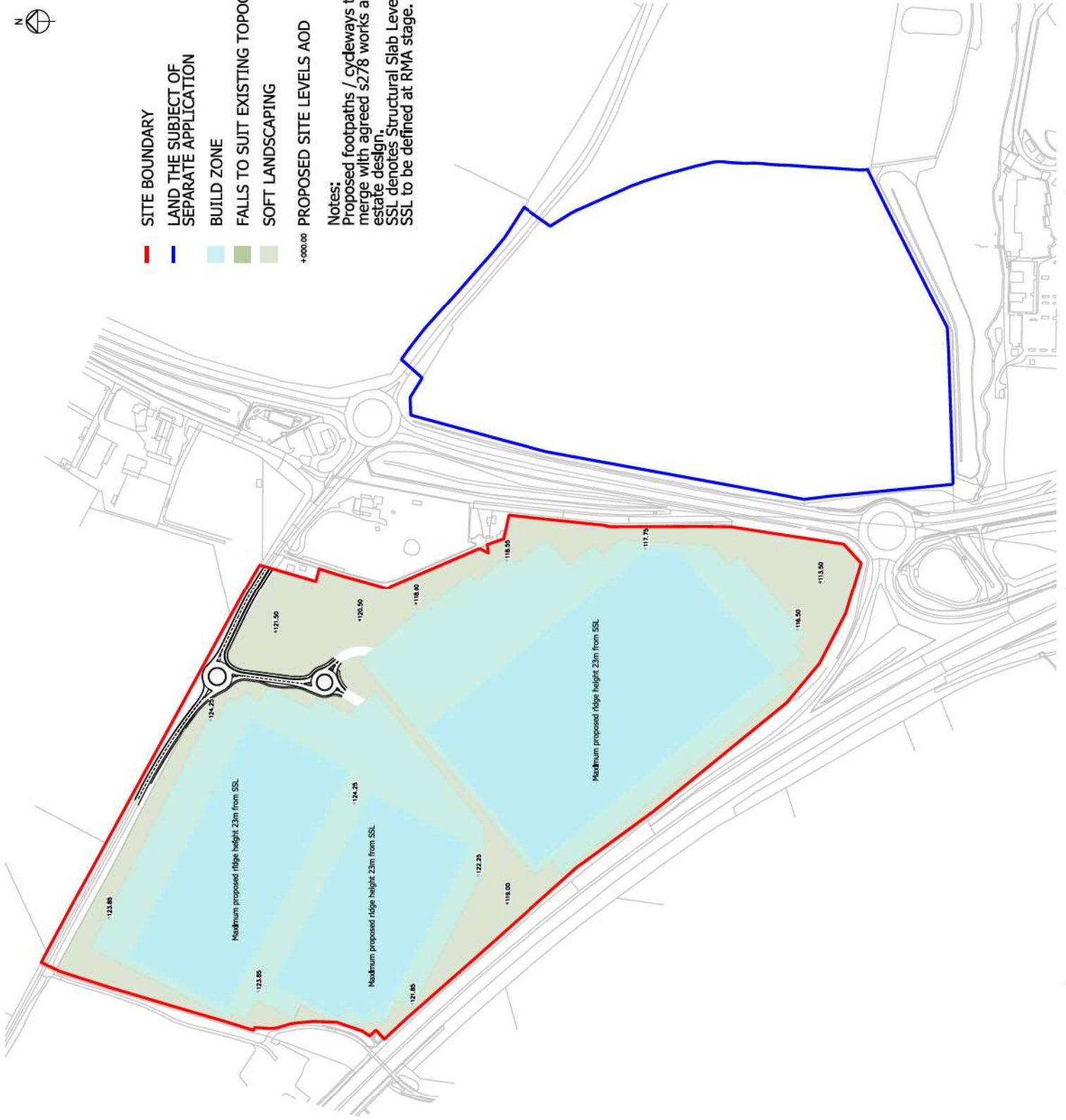
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- SITE BOUNDARY
- LAND THE SUBJECT OF SEPARATE APPLICATION
- BUILD ZONE
- FALLS TO SUIT EXISTING TOPOGRAPHY
- SOFT LANDSCAPING
- PROPOSED SITE LEVELS ADD

**Notes:**  
 Proposed footpaths / cycleways to merge with agreed s278 works and estate design.  
 SSL denotes Structural Slab Level.  
 SSL to be defined at RMA stage.



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PROJECT TITLE: JUNCTION 10 M40

PARAMETER PLAN 02  
 BUILDING HEIGHTS

TOWN PLANNING

Scale: 0 20 40 metres  
 Date: 27/06/2021  
 Drawing No: A 5 1:2500 @ A1

20005 - TP - 003



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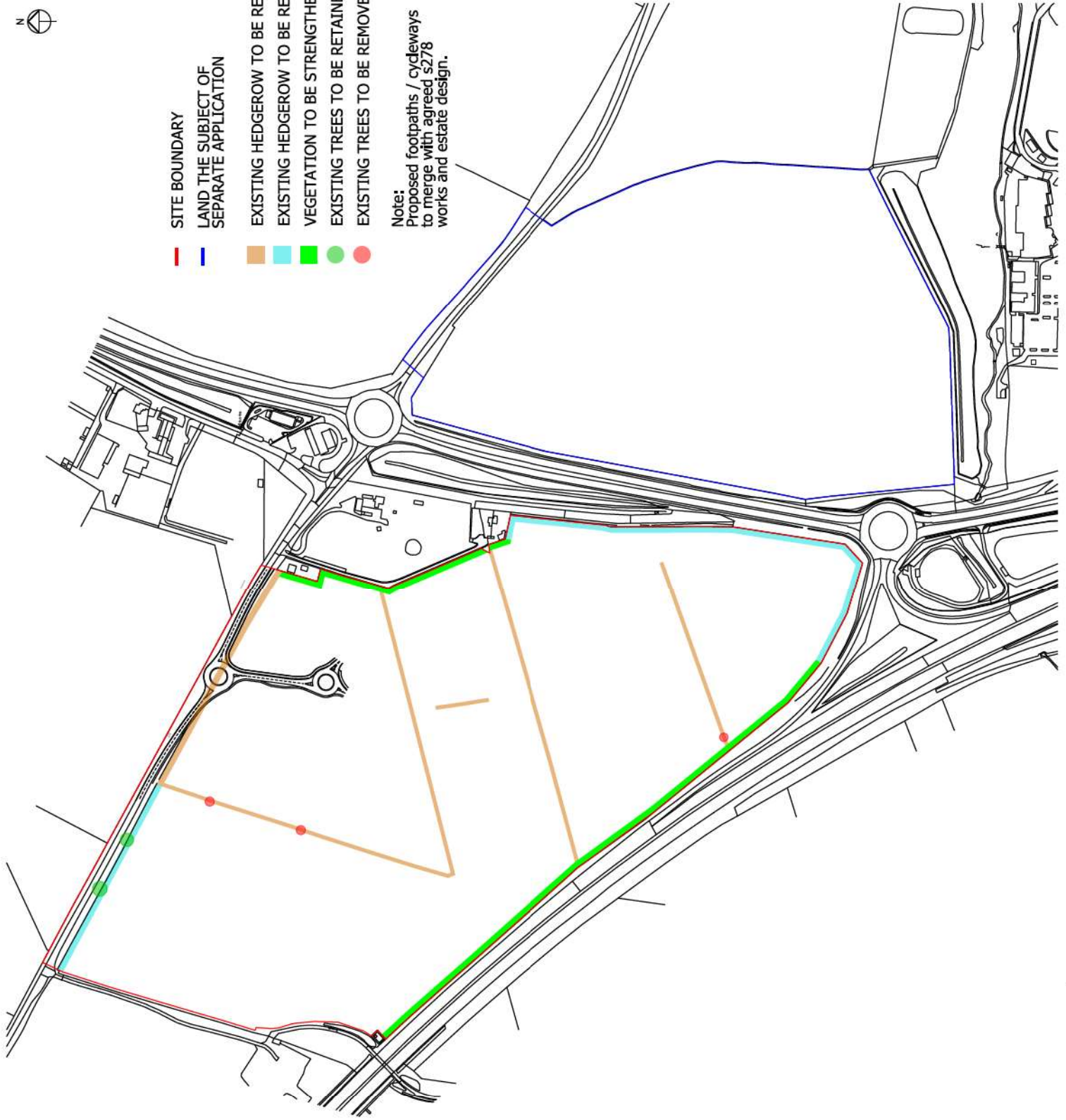


SITE BOUNDARY  
 LAND THE SUBJECT OF  
 SEPARATE APPLICATION

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EXISTING HEDGEROW TO BE REMOVED  
 EXISTING HEDGEROW TO BE RETAINED & ENHANCED  
 VEGETATION TO BE STRENGTHENED  
 EXISTING TREES TO BE RETAINED  
 EXISTING TREES TO BE REMOVED

Note:  
 Proposed footpaths / cycleways  
 to merge with agreed s278  
 works and estate design.



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RIBA  
 Chartered Practitioner

PROJECT NO. JUNCTION 10 M40

TOWN PLANNING  
 PARAMETERS PLAN 03  
 VEGETATION RETENTION  
 & REMOVAL

Scale: 0 10 20 metres

DATE: 12/08/2021 5 M

ALBION LAND

20005 - TP - 004

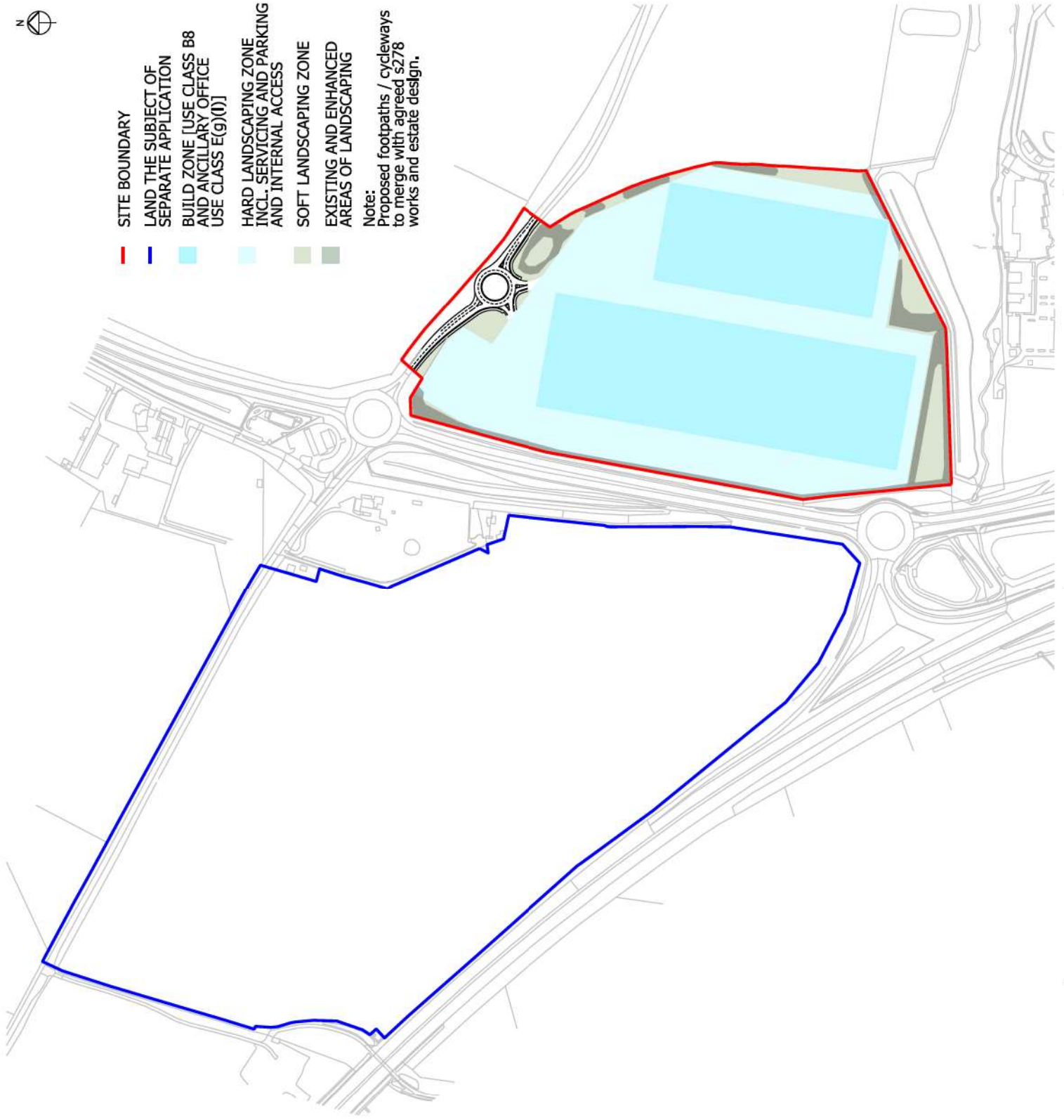
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- SITE BOUNDARY
- LAND THE SUBJECT OF SEPARATE APPLICATION
- BUILD ZONE (USE CLASS B8 AND ANCILLARY OFFICE USE CLASS E(9)(1))
- HARD LANDSCAPING ZONE INCL. SERVING AND PARKING AND INTERNAL ACCESS
- SOFT LANDSCAPING ZONE
- EXISTING AND ENHANCED AREAS OF LANDSCAPING

Note:  
Proposed footpaths / cycleways to merge with agreed s278 works and estate design.



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 Chartered Practitioner

PROJECT NO. JUNCTION 10 M40

DRAWING TITLE: PARAMETER PLAN 06 LAND USE

DRAWING STATUS: TOWN PLANNING

Scale: 0 10 20 30m  
 metres  
 Drawing No. A 5  
 Date: 12/25/2021 5 M

ALBION LAND  
 Drawing No. 20005 - TP - 008



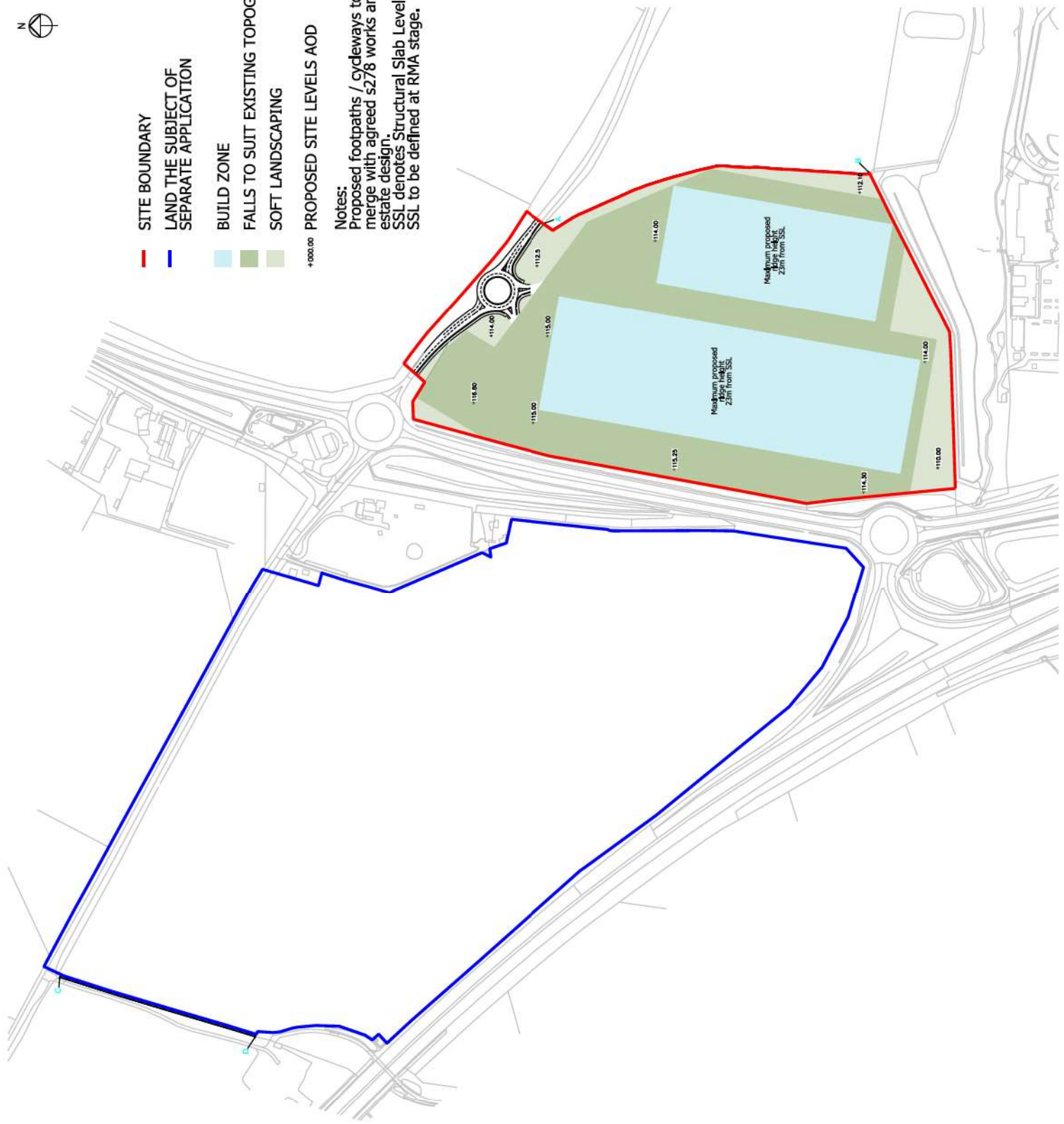
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- SITE BOUNDARY
- LAND THE SUBJECT OF SEPARATE APPLICATION
- BUILD ZONE
- FALLS TO SUIT EXISTING TOPOGRAPHY
- SOFT LANDSCAPING
- +000.00 PROPOSED SITE LEVELS AOD

**Notes:**  
 Proposed footpaths / cycleways to merge with agreed s278 works and estate design.  
 SSL denotes Structural Slab Level. SSL to be defined at RMA stage.



Team	Project No.	DN	Date
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<b>RIBA</b> Chartered Practitioner			

PROJECT NO. **JUNCTION 10 M40**

DRAWING TITLE **PARAMETER PLAN 07 BUILDING HEIGHTS**

DRAWING STATUS **TOWN PLANNING**

Scale: 0 10 20 metres

Drawn by: **JK** | Checked by: **JK** | Date: **27/08/2021** | Scale: **A 5 1:2500 @ A1**

Client: **ALBION LAND**

Drawing No. **20005 - TP - 009**

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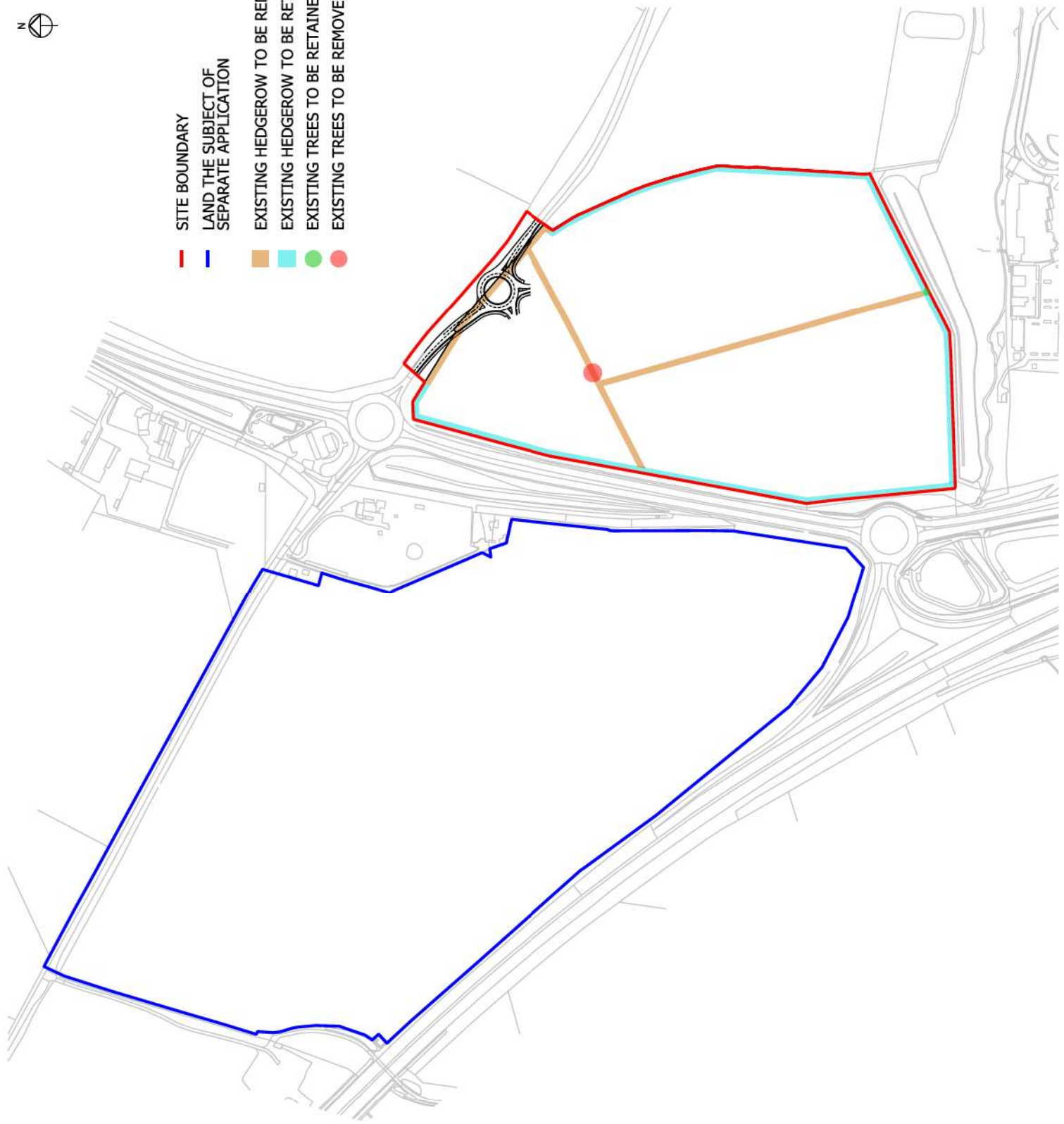
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— SITE BOUNDARY  
— LAND THE SUBJECT OF SEPARATE APPLICATION

EXISTING HEDGEROW TO BE REMOVED  
EXISTING HEDGEROW TO BE RETAINED & ENHANCED  
EXISTING TREES TO BE RETAINED  
EXISTING TREES TO BE REMOVED



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PROJECT NO. JUNCTION 10 M40

DATE OF ISSUE: 27/08/2021  
DRAWN BY: C S  
SCALE: 1:2500 @ A1  
PROJECT NO. C S

TOWN PLANNING

Scale: 0 10 20 metres

DATE OF ISSUE: 27/08/2021  
DRAWN BY: C S  
SCALE: 1:2500 @ A1

ALBION LAND

20005 - TP - 010



**NOTES**

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**JUNCTION 10 M40**  
 ILLUSTRATIVE MASTERPLAN

**TOWN PLANNING**

Scale: 1:500  
 0 10 20 30 metres  
 Date: 20/09/2021  
 Location: S K 112500 @ A1 C S

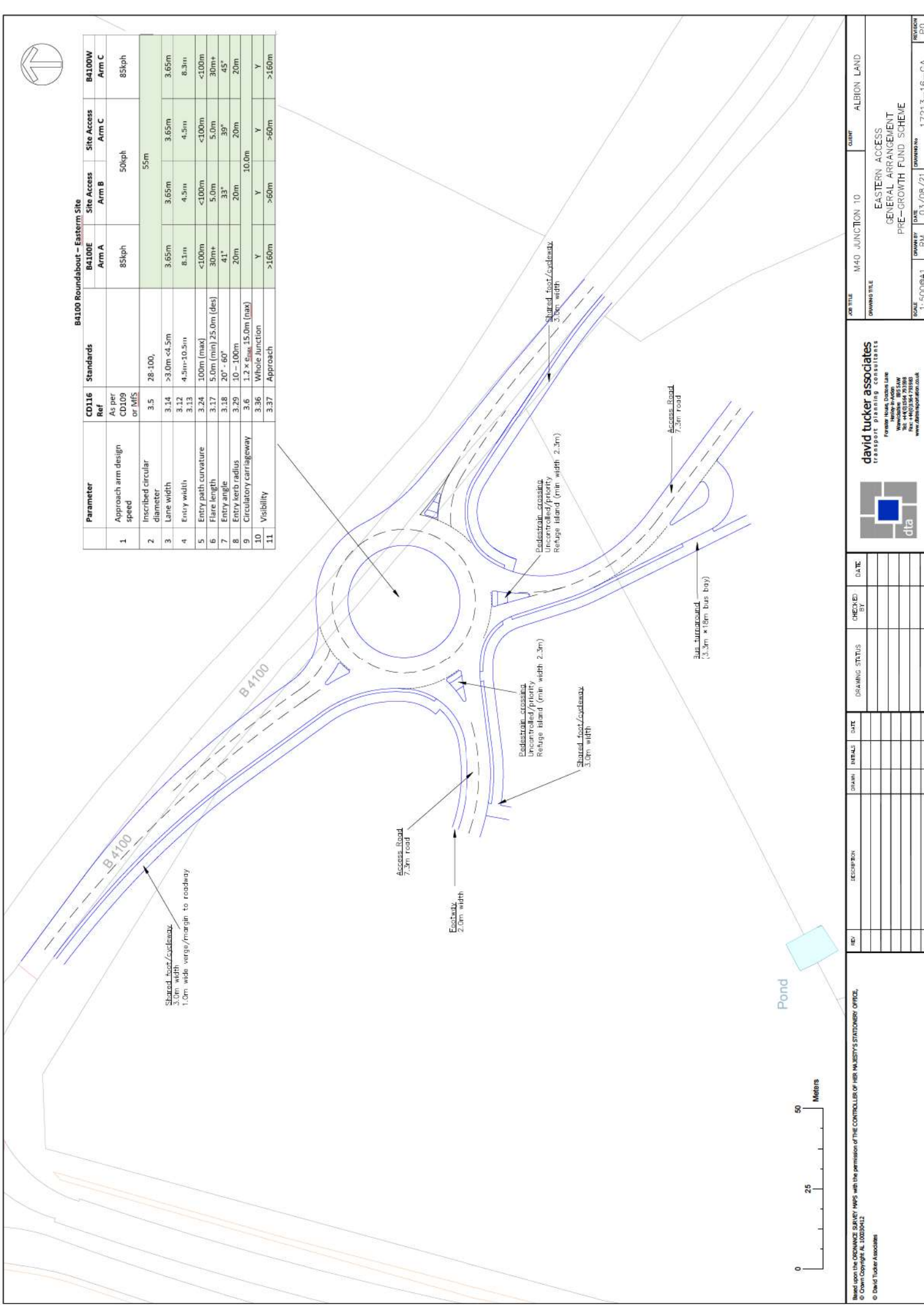
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**B4100 Roundabout – Eastern Site**

Parameter	CD116 Ref	Standards	B4100E			B4100W Arm C
			Arm A	Arm B	Site Access Arm C	
1 Approach arm design speed	As per CD109 or MFS		85kph	50kph	50kph	85kph
2 Inscribed circular diameter	3.5	28-100				
3 Lane width	3.14	>3.0m <4.5m	3.65m	3.65m	3.65m	3.65m
4 Entry width	3.13	4.5m-10.5m	8.1m	4.5m	4.5m	8.3m
5 Entry path curvature	3.24	100m (max)	<100m	<100m	<100m	<100m
6 Flare length	3.17	5.0m (min) 25.0m (des)	30m+	5.0m	5.0m	30m+
7 Entry angle	3.18	20° - 60°	41°	33°	39°	45°
8 Entry kerb radius	3.29	10 - 100m	20m	20m	20m	20m
9 Circulatory carriageway	3.6	1.2 x $v_{max}$ 15.0m (max)	Y	Y	10.0m	Y
10 Visibility	3.36	Whole junction	Y	Y	Y	Y
11	3.37	Approach	>160m	>60m	>60m	>160m



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REV	DESCRIPTION	DATE	INITIALS	DRAWING STATUS	CHECKED BY	DATE

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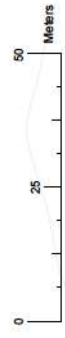
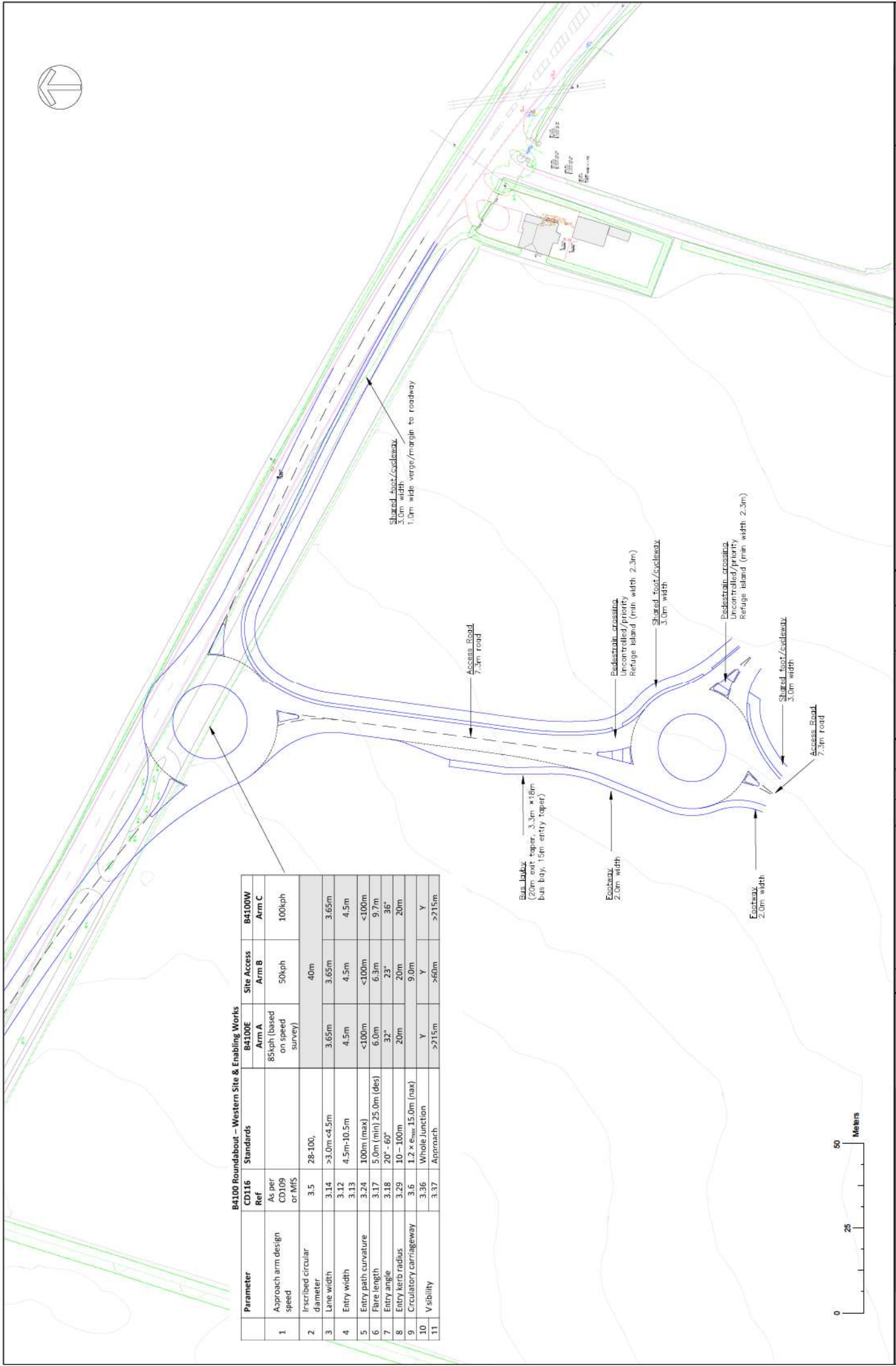
JOB TITLE: M40 JUNCTION 10  
 DRAWING TITLE: EASTERN ACCESS GENERAL ARRANGEMENT PRE-GROWTH FUND SCHEME  
 SCALE: 1:500@A1  
 DRAWN BY: RM  
 DATE: 03/08/21  
 DRAWING NO: 17213-16-GA  
 REVISION: PU





B4100 Roundabout – Western Site & Enabling Works

Parameter	B4100E Standards		B4100W	
	CD116 Ref	Arm A	Arm B	Arm C
1 Approach arm design speed	As per CD109 or MFS	85kph (based on speed survey)	50kph	100kph
2 Inscribed circular diameter	3.5	28-100,	40m	
3 Lane width	3.14	>3.0m<4.5m	3.65m	3.65m
4 Entry width	3.12	4.5m-10.5m	4.5m	4.5m
5 Entry path curvature	3.24	100m (max)	<100m	<100m
6 Fare length	3.17	5.0m (min) 25.0m (des)	6.3m	9.7m
7 Entry angle	3.18	20° - 60°	23°	36°
8 Entry kerb radius	3.29	10 - 100m	20m	20m
9 Circulatory carriageway	3.6	1.2 x e <sub>max</sub> 15.0m (max)	9.0m	9.0m
10 Visibility	3.36	Whole Junction	Y	Y
11	3.37	Approach	>60m	>215m



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**dta**

REV	DESCRIPTION	DRAWN	INITIALS	DATE	DRAWING STATUS	CHECKED BY	DATE

JOB TITLE: LAND AT M40 JUNCTION 10 QUART ALBION LAND  
 DRAWING TITLE: WESTERN SITE ACCESS GENERAL ARRANGEMENT  
 SCALE: 1:500@A1  
 DRAWN BY: RM  
 DATE: 03/08/21  
 DRAWING NO: 17213-09-GA  
 REVISION: PU



## Appendix 5.2

### DEVELOPMENT SPECIFICATION

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Quod

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# Development Specification

J10 M40

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September 2021

Q210254

# Contents

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1	Introduction _____	1
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3	The Outline Planning Applications _____	4
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# 1 Introduction

---

- 1.1 This Development Specification has been prepared on behalf of Albion Land (“the Applicant”) in support of their Proposed Development at the sites known as ‘land to the west of the A43 and south of the B4100’ (the Western Site) and ‘land to the east of the A43 and south of the B4100’ (the Eastern Site).
- 1.2 It describes the Proposed Development in simple terms and is submitted for approval.
- 1.3 Albion Land are submitting two applications concurrently as set out below:
  - Application 1 – The application seeks outline planning permission for the erection of buildings comprising logistics (Use Class B8) and ancillary office (Use Class E(g)(i)) floorspace; and the construction of associated parking, servicing, hard and soft landscaping and a new access from the B4100 at the Western Site.
  - Application 2 – The application seeks outline planning permission for the erection of buildings comprising logistics (Use Class B8) and ancillary office (Use Class E(g)(i)) floorspace; and the construction of associated parking, servicing, hard and soft landscaping and a new access from the B4100 at the Eastern Site.
- 1.4 Together, the Applications seek to deliver high-quality logistics (warehouse) floorspace in a highly accessible location adjacent to Junction 10 of the M40.
- 1.5 At the same time, Albion Land have also submitted an application for full planning permission for enabling works at the ‘Western Site’. As full planning permission is sought the proposed enabling works are not described further within this Development Specification.
- 1.6 The description of development for Application 1 and Application 2 is set out below:

## Application 1

*“Application for outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace; construction of new site access from the B4100; creation of internal roads and access routes; hard and soft landscaping including noise attenuation measures; and other associated infrastructure”.*

## Application 2

*“Application for outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace and associated infrastructure; construction of new site access from the B4100; creation of internal roads and access routes; and hard and soft landscaping”.*

## Control Documents

- 1.7 Applications 1 and 2 are supported by two Control Documents, which describe the principal components of the development for each site, define the parameters for the development and control how the development will come forward in the future. They provide the parameters, design principles and controls that will guide future reserved matters applications (RMAs). These Control Documents are the Development Specification and the Parameter Plans.
- 1.8 A separate set of Parameter Plans has been prepared for Application 1 and Application 2. These are described further in Section 5 of this document.
- 1.9 The Development Specification has been prepared to define and describe the principal components of each development, including the form and content of both applications as well as the parameters for future detailed applications to be submitted under reserved matters.
- 1.10 The Development Specification also sets out the type and quantity of development proposed for each Site and a series of key design commitments future RMAs will be required to comply with.
- 1.11 The remaining sections of the Development Specification are structured as follows:
  - Section 2 provides a description of the Western Site and the Eastern Site;
  - Section 3 outlines the scope of Applications 1 and 2;
  - Section 4 describes the development proposals, the quantum of floorspace proposed and the key design commitments;
  - Section 5 describes the Parameter Plans; and
  - Section 6 explains the proposed implementation and delivery of the Proposed Development



## 2 Site Description

---

### The Western Site

- 2.1 The Western Site comprises a parcel of land located to the north west of Junction 10 of the M40 and extends to an area of 43.9 hectares. The location of the Western Site is shown in the accompanying Site Location Plan prepared by Cornish Architects and submitted for information.
- 2.2 The Site is predominately in agricultural (arable) use and contains crops, areas of bare ground, ditches, hedgerows and other scrub and vegetation. A small farm building, currently used for storage, is located towards the centre of the Site.
- 2.3 Tree belts and hedgerows are located around the north, eastern and western boundaries of the Site.
- 2.4 The Site incorporates part of the B4100 along its northern boundary.

### The Eastern Site

- 2.5 The Eastern Site comprises a parcel of land located to the north east of Junction 10 of the M40 and extends to an area of 24.2 hectares. The location of the Eastern Site is shown in the accompanying Site Location Plan prepared by Cornish Architects and submitted for information.
- 2.6 The Site is predominately in agricultural (arable) use and contains crops, areas of bare ground, ditches, hedgerows and other scrub and vegetation. A small waterbody is also located within the Site.
- 2.7 Tree belts and hedgerows are located around the boundaries of the Site.
- 2.8 The Site incorporates part of the B4100 along its northern boundary.

## 3 The Outline Planning Applications

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- 3.1 The Proposed Development includes the erection of buildings comprising logistics (Use Class B8) and ancillary office (Use Class E(g)(i)) floorspace, as well as associated infrastructure; a new access from the B4100; and hard and soft landscaping at land to the west of the A43 and south of the B4100 ('the Western Site) and at land to the east of the A43 and south of the B4100 ('the Eastern Site).
- 3.2 Separate outline planning applications have been submitted for the Western Site and the Eastern Site. Both applications seek outline planning permission with all matters reserved except for access. Details of the appearance, landscaping, layout and scale are reserved for future approval.
- 3.3 Each Outline Planning Application is submitted with matters reserved (except for access) to provide the necessary flexibility for the detailed design of the scheme and to allow for the development to be marketed and tailored to suit the needs of the logistics floorspace market. However, this Development Specification document and the relevant Parameter Plans will inform and control all future RMAs.
- 3.4 In accordance with the 'Rochdale Envelope' approach, this Development Specification and the Parameter Plans have also allowed for a reasonable worst case assessment of environmental impacts to be determined. The Rochdale Envelope approach is employed where the nature of the Proposed development means that some details of the project cannot be confirmed at submission and flexibility is sought to address uncertainty. As there remains a need to ensure that the significant effects of a Proposed Development have been properly assessed, the Rochdale Envelope approach requires the environmental impact assessment to be based on a cautious 'worst case' approach and the level of information required to be sufficient to enable the main or the likely significant effects on the environment to be assessed and the mitigation measures to be described.
- 3.5 All future RMAs will be required to comply with the Control Documents. Accordingly, the final detailed design of the Proposed Development will present no greater impact than that assessed at outline stage.
- 3.6 Full details of the proposed access into the Western Site and the Eastern Site are enclosed with the respective application and so are not dealt with in this document. Access to the Sites will be provided from the B4100 via new roundabouts.
- 3.7 The design of the proposed roundabouts has been informed by pre-application discussions with Cherwell District Council and Oxfordshire County Council. Works to the highway will be secured as part of any Section 278 Agreement.
- 3.8 It has been possible to fix the details of each site access at this stage as they are not related to the detailed design of the future buildings. Each site access has been designed to allow a range of different vehicles to safely enter and exit the sites and to accommodate the number of trips that are anticipated to be generated by the Proposed Development.



3.9 Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (“DMPO”) provides that outline planning applications may be granted subject to a condition specifying reserved matters for the local authority’s approval. All the matters set out below, except for access, are reserved for later approval:

1. Access - As defined in the DMPO, access comprises *“the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network”*. Vehicular and cycle access will be provided to each site from a new roundabout entrance located on the B4100. In the Western Site the entrance will connect to a second roundabout located further south within the site. Further vehicular, cycle and pedestrian routes within both Sites will be defined as part of future RMAs pursuant to the principles within this document and the Parameter Plans. The routes will be provided within the areas identified for ‘hard landscaping’ on the respective Land Use Parameter Plans.
2. Appearance – As defined in the DMPO this relates to *“the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture”*.

The massing and appearance of the buildings will comply with the key design commitments set out in section 4 of this document.

3. Landscaping – As defined in the DMPO: *“the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes –*
  - (a) Screening by fences, walls or other means;*
  - (b) The planting of trees, hedges, shrubs or grass;*
  - (c) The formation of banks, terraces or other earthworks;*
  - (d) The laying out or provision of gardens, courts, squares, water features, sculpture or public art; and*
  - (e) The provision of other amenity features”*.

The Parameter Plans identify the areas of soft and hard landscaping to be provided within each Site as well as the existing hedgerows to be removed, retained/enhanced and strengthened. The treatment of the soft and hard landscaping zones areas, including the parking and servicing areas, will accord with the key design commitments set out in Section 4 of this document.

4. Layout – The DMPO defines layout as *“the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development”*.

The Parameter Plans identify a 'Build Zone', a 'Hard Landscaping Zone' (including parking, servicing and internal access) and a 'Soft Landscaping Zone'. Buildings will only be permitted within the 'Build Zones'. In the Western Site the Parameter Plans also identify the proposed public right of way (PROW) diversion within the Site. Approval for this diversion has been sought via a separate enabling works application relating to part of the Western Site and is the subject of a Public Path Order application submitted concurrently.

It is intended that the Proposed Development will accommodate large footprint buildings (ranging in size from approximately 30,000 sq.m (GIA) to 90,000. Sqm (GIA)) as shown in the illustrative masterplan, which has been submitted for information only and does not constitute a Parameter Plan.

5. Scale – As defined in the DMPO: *“height, width and length of each building proposed within the development in relation to its surroundings”*.

The Parameter Plans describe the maximum building heights within the Build Zone and the proposed site levels within the remaining parts of each Site. The Parameter Plans allow for a single building to occupy the entire extent of any Build Zone but also provide the flexibility for a series of smaller units to be delivered.



## 4 Development Content

---

4.1 The description of the Proposed Development for each site is as follows:

### *Application 1*

*“Application for outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace; construction of new site access from the B4100; creation of internal roads and access routes; hard and soft landscaping including noise attenuation measures; and other associated infrastructure”.*

### *Application 2*

*“Application for outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace and associated infrastructure; construction of new site access from the B4100; creation of internal roads and access routes; and hard and soft landscaping”.*

### *Application Site*

4.2 The Site Location Plans identify the extent of the Western Site and the Eastern Site.

### *Total Floorspace*

4.3 Application 1 seeks planning permission for a maximum of 170,000 sq.m GIA of floorspace across the Western Site.

4.4 Application 2 seeks planning permission for a maximum of 100,000 sq.m (GIA) of floorspace across the Eastern Site.

### *Land Use*

4.5 Applications 1 and 2 both seek planning permission for the erection of logistics buildings and associated access, parking, servicing and hard and soft landscaping.

4.6 The proposed buildings will be restricted to **Use Class B8 (logistics)** and **ancillary office (Use Class E(g)(i))** floorspace only.

4.7 The proposed maximum floorspace for each use is set out in Tables 4.1 and 4.2 below.

4.8 The figures in Tables 4.1 and 4.2 represent maximum amounts for each use and when added together generate a cumulative floorspace figure that is greater than the total amount of floorspace which is proposed to be provided within each Site. For the avoidance of doubt, Applications 1 and 2 set a maximum total floorspace for each Site (as set out in paragraphs 4.3 and 4.4 above) and the cumulative floorspace of logistics and ancillary office floorspace within each Site could not exceed these maximum total floorspace figures.

Use	Proposed Maximum Floorspace (GIA)
B8 Logistics	170,000 sq.m
Ancillary Office Use Class E(g)(i)	10,000 sq.m

Table 4.1 – Application 1 Proposed Uses and Maximum Floorspace

Use	Proposed Maximum Floorspace (GIA)
B8 Logistics	100,000 sq.m
Ancillary Office Use Class E(g)(i)	7,000 sq.m

Table 4.2 – Application 2 Proposed Uses and Maximum Floorspace

#### Building Lengths and Widths

- 4.9 The Parameter Plans allow a building to occupy the full extent of any Build Zone but also provide the flexibility for a series of smaller units to be delivered.
- 4.10 The maximum width and length of any building within each Build Zone is set out in Table 4.3 below.

Build Zone	Maximum Building Length (metres)*	Maximum Building Width (metres)*
Western Site		
Northern Build Zone	356	148
Central Build Zone	284	150
South Eastern Build Zone	412	232
Eastern Site		
Western Build Zone	488	154
Eastern Build Zone	296	132

\*Rounded to nearest metre

Table 4.3 – Maximum Building lengths and widths



## Design Principles

4.11 Details of the appearance, layout, scale and landscaping of the Proposed Development is reserved for future approval. However, future reserved matters applications for each Site will be required to comply with the key design commitments set out in Table 4.4 below.

Design Consideration	Commitment
General	An integrated approach will be taken to development. Careful consideration will be given to the layout, architectural detailing, materials and colour of each building as well as the surrounding hard and soft landscaping.
Movement	<p>The site layout will include dedicated routes for pedestrians, cyclists and vehicles. Segregated footpaths will be provided within each plot.</p> <p>A bus layby will be included within each site.</p>
Orientation	Buildings will be orientated towards the internal access roads.
Size/Scale/Massing	Careful consideration will be given to the size, scale and massing of each building to minimise its impact on its surroundings so far as possible. The use of different materials and architectural details will be considered to break up long and/or tall elevations.
General composition	<p>Building elevations will share a common architectural language so that they complement one another.</p> <p>A simple and consistent palette of materials will be used across each site.</p>
Elevational Treatment - General	<p>Materials will reflect the character and use of the Proposed Development.</p> <p>External facing materials will be selected with consideration to their quality, durability and sustainability as well as their appearance within the surrounding landscape. The use of non-reflective materials will be encouraged.</p>

Design Consideration	Commitment
Elevational Treatment – Warehouses	<p>Warehouse facades may include a combination of built up and composite cladding, curtain walling, windows, translucent polycarbonate wall panels, brise-soleil and other suitable materials and features.</p> <p>Consideration will be given to the format and orientation of cladding materials and the functional elements of each facade to provide visual interest and variation.</p> <p>The use of light metallic grey materials and other light coloured cladding will be considered, particularly at upper levels.</p>
Elevational Treatment - Offices	Glazing will be used along the office facades to provide high levels of natural light internally and create active frontages.
Roofs	A range of roof profiles, including curved roofs, will be considered.
Entrances	Building entrances will be distinctive and prominent to assist in wayfinding. The main entrances will provide visual interest and create active frontages.
Sustainable Design	All buildings will achieve BREEAM 'Very Good' certification
Sustainable Design	All building offices and cores will be net Zero Carbon in their operation.
Sustainable Design	The use of photovoltaic panels, solar shading and other sustainable design measures will be explored at RMA stage.
Car Parking	<p>Car Parking will be provided in accordance with OCC's adopted parking standards.</p> <p>Parking will be located close to main building entrances and will be designed to minimise the risk of conflict between pedestrians, cyclists, cars and larger vehicles.</p> <p>Blue badge parking will be conveniently located for all users. Level access will be available from all blue badge parking to each building entrance.</p>



Design Consideration	Commitment
Loading and Delivery Bays / HGV Parking	<p>Loading and delivery bays and HGV parking will be located away from the main building entrances.</p> <p>An appropriate amount of HGV parking will be provided for the proposed logistics use.</p>
Electric Vehicle Parking	<p>Provision will be made for electric car and HGV parking as set out below:</p> <ul style="list-style-type: none"> <li>- 10% of car parking spaces will have active electric charging provision</li> <li>- 10% of HGV parking spaces will have active electric charging provision</li> <li>- 15% of car parking spaces will have passive electric charging provision</li> <li>- 15% of HGV parking spaces will have passive electric charging provision</li> </ul>
Cycle Parking	<p>Safe and secure cycle parking will be provided in accordance with the relevant adopted standards. This will include cycle parking for larger/accessible bicycles.</p> <p>Cycle parking will be conveniently located close to building entrances.</p>
Inclusive Access	<p>The buildings and surrounding public realm will reflect the principles of inclusive design. Level access will be provided to all buildings.</p>
Soft Landscaping	<p>A range of soft landscaping will be provided within each Site. This may include semi natural woodland screen planting, wet woodland/scrub, native hedgerow planting, specimen tree planting, neutral grassland and amenity grassland.</p> <p>Existing hedgerows will be retained, enhanced and strengthened where possible.</p> <p>A detailed Landscape and Ecology Management Plan ('LEMP') will be prepared and submitted prior to occupation of the Proposed Development.</p>